Getting on with Impeachment *The Editors*

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THE NEW REPUBLIC

A Journal of Politics and the Arts—February 9, 1974, 50 cents

Why More Nukes?—*Walter Pincus*

Between the Acts—*John Osborne*

House Shake-up—*Iric Nathanson*

Canadian Oil—*Anthony Astrachan*

Peace in Palestine?—*Alvin Rosenfeld*

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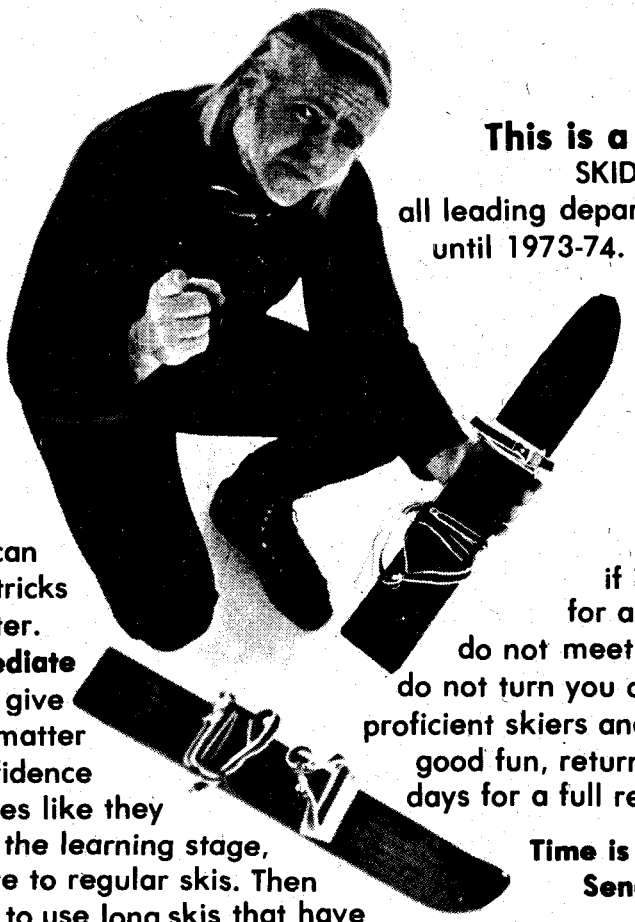

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TRB

from Washington
February 9, 1974

Coincidences

In March 1971, shortly after the Secretary of Agriculture refused to raise milk price supports, President Nixon met with representatives of dairy cooperatives and the following day they contributed $25,000 to his campaign, promising two million dollars all told. The day after that the Secretary of Agriculture, on direct White House orders, reversed his prior decision and raised supports without explanation, at a cost of $500 million to consumers. There was no connection between the two events, says Mr. Nixon.

The Justice Department antitrust division rejected the plea of ITT that it be allowed to keep the Hartford Insurance Company, the biggest merger in history. By a coincidence the government reversed itself after ITT on July 21, 1971 promised to contribute $200,000 to the Republican convention at San Diego. Mr. Nixon knew nothing about it.

On June 17, 1972 burglars from the Republican bailiwick were caught redhanded in the headquarters of the Democratic National Committee and admitted they were directed by White House associates. President Nixon knew nothing about this. He referred to it as "this very bizarre incident" at a San Clemente press conference August 29. And he reassured the nation April 30, 1973 on TV, that he was "appalled at this senseless illegal action." He was "shocked" that employees of the reelection committee "were apparently among those guilty." Mr. Nixon had been deceived by subordinates.

Mr. Nixon is as patient as Lincoln. Although he announced the resignation of Haldeman and Ehrlichman that same evening he did not blame them for the action of others in the monstrous betrayal: "Two of the finest public servants it has been my privilege to know," he said. Ehrlichman is under indictment.

Nobody told Mr. Nixon, either, about the burglary of Daniel Ellsberg's psychiatrist, under authority of the unfortunate Egil Krogh. He was just sentenced to six months in jail. Poor Krogh: in an agonized statement he said, "I hope young men and women will recognize that the banner of national security can turn perceived patriotism into actual disservice. I hope they will never fail to ask, 'Is this right?'"

Exit Krogh. Don't feel the President isn't moved by such tragedies—to see idealistic young men who served him broken and crushed. He exclaimed (May 22, 1973), "I can see how highly motivated individuals could have felt justified in engaging in . . . activities that I would have disapproved had they been brought to my attention." Nobody brought them to his attention.

The same mist of innocence surrounds Mr. Nixon's relations with his close friend Charles (Bebe) Rebozo, with Robert Abplanalp, and even with invisible billionaire Howard Hughes. There probably never was a more guileless President. He has been pursued by coincidences and by men who knew exactly what they wanted. Take Bebe, a self-made man, a one-time airplane steward, a transplanted Cuban, a Florida real estate plunger. Could Mr. Nixon have guessed that after a reporter from *Newsday* wrote critical articles about Rebozo, somebody from the White House would arrange for an IRS audit of the reporter's tax return? Could he have known that after the Federal Home Loan Bank Board twice turned down a Rebozo application for federal deposit insurance on his savings and loan association in Key Biscayne the board would suddenly think better of it, after Mr. Nixon had named two new members to the three-man body?

Any competent psychiatrist could analyze Mr. Nixon's public utterances and easily construct a personality model of the President, he is an open book—a hopeful, confiding man who believes what he is told, who follows the crowd, who carries loyalty to subordinates almost to naiveté. Take the matter of his personal finances. He tripled his net worth as President and became a millionaire. But it was due to others: he took the $576,000 tax deduction on his vice presidential papers simply on the urging of LBJ; the valuable federal improvements on his Florida and California real estate were due to the oversolicitous Secret Service; the controversial tax returns on his property (or lack of returns) followed legal advice of others. Mr. Nixon was not responsible.

The same with Howard Hughes. A "contribution" of $100,000 in $100 bills turned up in Rebozo's safe where it had rested three years. The President knew nothing of it. Noah Dietrich, Hughes' chief of staff for 32 years, in a book on his former boss says, "I never met a more apolitical man in my life . . . 'Everybody has a price,' he always said. And he was willing to offer that price—to a city councilman or the President of the United States. . . ." There are crass, sardonic people like that, but only a hatefully suspicious nature would connect the Hughes money with a 1970 favorable ruling by ex-Attorney General Mitchell, allowing Hughes interests to acquire another airline and a Las Vegas hotel. "Before the election I did not want any information from anybody with regard to campaign contributions," Mr. Nixon reassured the country last October. "I made my mistakes. But in all my years of public life I have never profited from public service . . . I'm not a crook." Name any other President who has given such a pledge.

The same thing goes for the tapes. Why shouldn't a man beset with awful responsibilities surreptitiously tape the conversations of friends, or others? No wonder he did it, when you think how they deceived him on Watergate. The President promised July 23 that the tapes would be kept "under my sole personal control." Now the experts say that the crucial 18-minute Nixon-Haldeman conversation on June 20, 1972, right after Watergate, was deliberately erased. A crime has been committed. Only a few people at the White House had access to them: Rose Mary Woods, an assistant, and—good gracious—Mr. Nixon himself! A team of FBI men is at the White House now interrogating the lesser staff and checking up on a criminal act. Conservative columnists are having a rugged time of it, some have thrown in the sponge. They are men of little faith! After deliberation we subscribe to the Alexander Haig theory of "sinister force." A telegram came in the other day from a constituent of Rep. Drinan (D, Mass.), a Jesuit priest. "If you can't impeach him," it urged, "exorcise him." This kind of thing will be going on, we expect, til May.

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Getting on with Impeachment

As they approach the hurdle of impeachment, a good many members of Congress are looking rather wildly to right and left, hoping against hope that the moment of decision will never come. When it does, if it does, they may refuse the jump, they may leap, they don't know. If their hesitation is only that of fair-minded jurors, there should be no complaint. The legislators ought to hold back until the House Judiciary Committee has assembled and weighed the evidence and written a bill of particulars on Mr. Nixon's fitness to remain in office. If, on the other hand, Congress is waiting not for the facts, but for "the people" to tell them what to do with the facts, we're in for a long, hot and inconclusive summer. For "the people" know no more, and usually less, than the Congress about who has done what to whom and what the proper penalty for misconduct is. Moreover it is not "the people" who are the designated judges in this case. "The Constitution," it is pointed out by a committee of the Association of the Bar of the City of New York, "has committed exclusively and finally to the measured discretion of the elected representatives the unique, quasi-judicial function of determining whether an elected or appointed officer of the United States must be removed from office on grounds of unfitness."

Because that responsibility is vested solely in the legislators, they must of course have access to all information pertinent to the question of the President's alleged misdeeds. If getting that information requires an amendment by Congress of the federal rules of criminal procedure, so that the special prosecutor can in good conscience and in good law make that information available to the House, that is what Congress must do. It may not have to, however, because under present rules federal courts may find they have sufficient authority.

A trial by impeachment can have three different outcomes: acquittal, conviction, or either by so narrow a margin as to appear to be a vote based on partisan prejudice rather than on cool-headed examination of the evidence. Acquittal would immensely strengthen both the President and his party. Conviction by a decisive vote would establish the principle that a man regarded by more than two-thirds of the senators as manifestly unfit to hold the office shall not hold it. That vote would be proof the system can cleanse itself and would establish as precedent that the public does not knowingly elect a rascal;

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therefore if one does obtain a supposed mandate, the mandate can be voided. In this sense impeachment is the public's ultimate safeguard against incompetence at the least and dictatorship at the worst.

The third possible outcome, conviction or acquittal by a slim majority, is the only one with which we have had historic experience, though the experience has limited applicability. Andrew Johnson was acquitted by a single vote in the wake of a civil war, when passions were running hotter and higher than they ever have since. Johnson, moreover, was never seriously suspected of complicity, either as a principal or accessory, in anything that the criminal law brands as a felony. The only count in the bill of impeachment on which he came near conviction was that of disobeying an act of Congress that he regarded as blatantly unconstitutional—an opinion that was sustained by the Supreme Court 60 years later. Though the outcome of the Johnson impeachment proceedings was deep and bitter division of the country, the United States held together. A one-vote verdict, whether for or against Mr. Nixon, would produce a comparably bitter aftertaste—unpleasant but not intolerable. Indeed such a debate might stimulate a reexamination of the efficacy of the impeachment process to defend the presidential office against occupancy by a knave. And if such a scrutiny were to lead to the invention of machinery that would do the work with less creaking and grinding, the ultimate result would be beneficial.

One Democratic representative from Arkansas, Bill Alexander, was recently quoted by a *Washington Post* reporter as saying that to many people in many places the idea of impeachment is still "unmentionable." If so, why? Perhaps because the presidency is the symbol of our togetherness, and the unprecedented firing of a President would be felt as a social earthquake. The distinction between the presidency and the President is real, but it is subtle. The removal of the latter for any reasons other than physical disability is so novel, so startling that it raises fears for the very foundations of political order. But to suggest that the country cannot stand the shock of impeachment is to underestimate the resiliency and strength of our institutions, and it is to forget what shocks the country has withstood in the past. Watergate may be the worst political affliction of this century, but it isn't the only one. The next worst, Teapot Dome, was milder, but bad enough. Members of the Ohio gang were intent on stuffing their own pockets, but President Harding was never seriously accused of sharing the loot. It was just, as Will Rogers later put it, that "we got the best politicians in this century that money can buy." Both upsets—Teapot Dome and Watergate—are attributable to the same cause—the ingestion of tainted politics which, like tainted meat, can produce a gargantuan bellyache. If properly treated with emetics and cathartics, it can usually be eliminated without serious aftereffects. Nobody in his right mind relishes Ipecac, any more than, in the political realm, rational persons savor impeachment; it, too, is strong medicine. Yet there are conditions like the present in which its use is plainly indicated. So while one can agree with Republican Senator Edward Brooke of Massachusetts that impeachment is "something the country *should* not be put through," what if it must be?

The nation is upset, but let's not overplay the tragedy. There has been no suggestion that any Benedict Arnold is selling West Point. No Hartford Convention of New Englanders is openly threatening secession, as it did in 1814. The White House has not been burned down, as it was in the War of 1812. Nobody is firing on Fort Sumter. The banks are open. The unemployed are not standing in block-long breadlines. No U-boats are sinking our merchant shipping in the sight of the beach at Atlantic City. No bombs are raining on Pearl Harbor. George Wallace is with us, but Joe McCarthy and A. Palmer Mitchell are not. American troops are not fighting in Vietnam. In sum nothing apparent constitutes what Justice Holmes would have called "a clear and present danger," unless it be pervasive disgust with politics in general. And that is remediable.

In the propaganda war going on between the President and his critics, it is essential to remember who forced this question of impeachment upon us. The President has claimed that he has proof that will exonerate him, but he has refused to produce it—as have his friends—for the alleged reason that such disclosures would endanger national security. Yet no imaginable danger is greater than that incurred by entrusting the conduct of national affairs to a suspected felon. That is why Congress must do more than hold the public's hand and feel its pulse. For if that is all it does, it will be as recreant to its duty as the President is now only suspected of being. To the survival of democracy, the countenancing of crookedness by the Executive is not a whit more dangerous than poltroonery in the legislative. On this point Benjamin Franklin said the last word: "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety"—nearly the last word, for he might have added, "nor are they likely long to have either."

And after impeachment, what? Mr. Nixon, we should note, is only the symbol, though the supreme symbol, of decay. Cheating, lying, evading, stealing, strutting pervade American politics, and although the symbolic act of impeachment will give relief and a renewed sense of hope for improvement, it is only the first step toward recovery. Beyond it lies the challenge of finding men and women in 1974 and 1976 who are intelligent, honest, compassionate, and electing them to the Congress, retiring in the process the lackeys and the dimwits. That is the larger, longer-range task. And it is a task that Richard Nixon, inadvertently, has made easier.

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The Island Domino

Almost from its beginning in the early 1960s, the American commitment to Vietnam was officially explained as a strategy to defend Southeast Asia against Communist Chinese expansion. President Kennedy warned against "the masses of the Chinese armies potentially ready to move" into the region, and later, as he escalated the war, Lyndon Johnson sought to justify his action as a response to Peking's "policy of aggression by proxy." The hollowness of that rhetoric has now been exposed by diametrically opposite US conduct. The other day, when the Chinese actually defeated a South Vietnamese force for the first time and occupied a group of islands claimed by Saigon, Washington not only stood back from the dispute but rejected at least three requests by South Vietnam for help in rescuing its survivors. Moreover the State Department expressed regret to Peking for the fact that an American civilian observer was among the South Vietnamese captured by the Chinese.

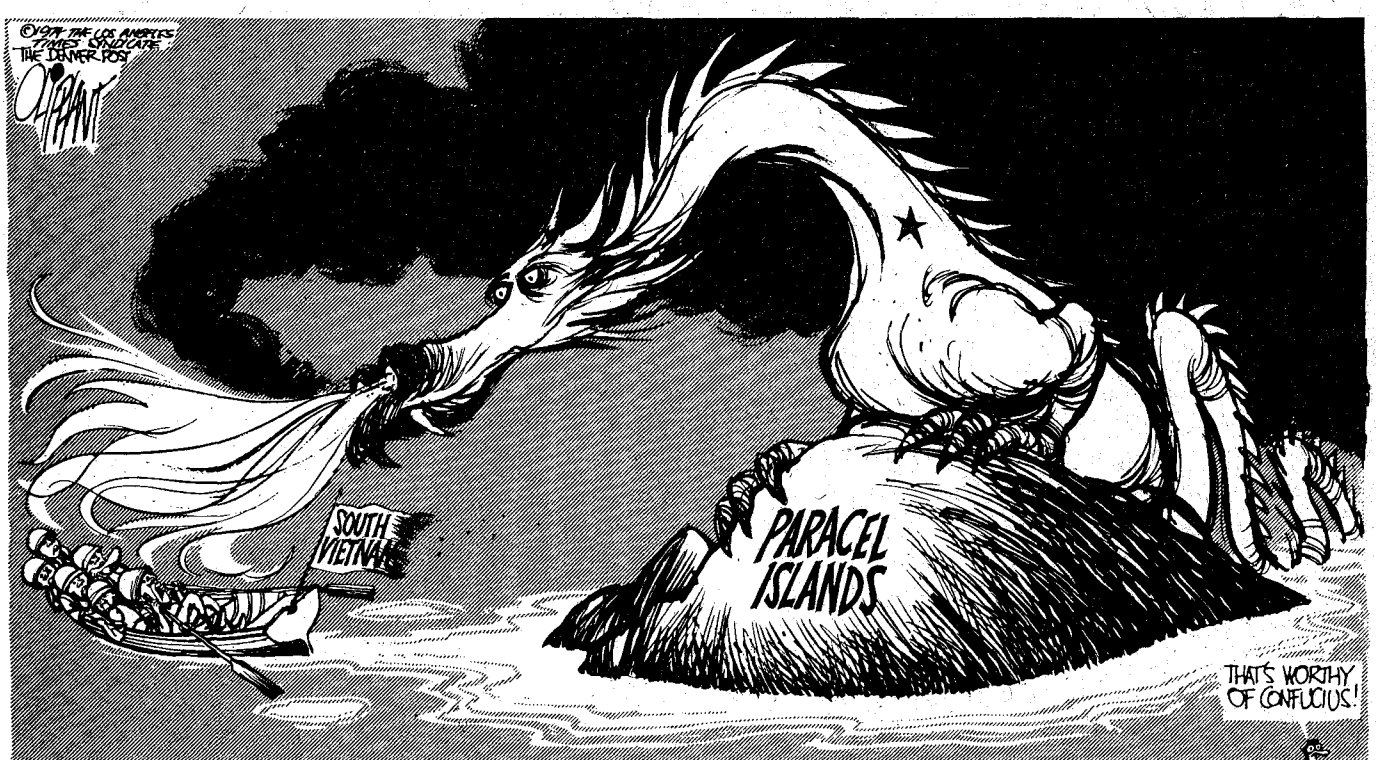
The dispute erupted over the Paracel Islands—tiny, uninhabited specks in the South China Sea. Saigon has lately been granting offshore oil exploration rights to foreign firms, among them Mobil, Exxon and Shell, and although these concessions are further south than the Paracels, the Chinese apparently felt compelled to protect an area they have considered theirs since it was visited in the 15th century by the celebrated eunuch admiral, Cheng Ho. That oil was on their minds was reflected in the statement that "the natural resources in the sea" around the islands belong to China. But coming as it does exactly a year after the Paris agreement supposedly ended the Vietnam war, the incident reaches in its significance far beyond oil.

In the first place it illustrates the extent to which the US has scrapped its "domino theory" that held that the loss of any territory in Southeast Asia to the Communists would threaten America's vital interests. Secondly, by staying neutral in the battle between the Chinese and South Vietnamese, the Nixon administration implicitly underlines the degree to which it is fearful of alienating Peking.

The so-called Chinese menace was never anything more than an alibi contrived to camouflage US intervention in a civil war between Vietnamese factions that had been fighting for years and will undoubtedly go on fighting long into the future. The logical question, then, is why the administration continues to bolster the Saigon regime militarily when its collapse or survival is no longer perceived to be crucial to the security of this country.

Back to the Drawing Board

"Industry won, the consumer lost," Sen. Henry Jackson announced last week after the Senate rejected his well-fed baby, the emergency energy bill. It voted 57 to 37 to return the bill to conference for rewriting. Sen. Jackson's fury was tinged with something other than selfless concern for the gasoline buyer: this was *his* bill, though it had been altered and expanded, even deformed in its progress through the mill. Until it reached the House, the bill had merely encouraged the President to ration fuel by formally giving him the



"We should remember the old American axiom—'Never get into a land war in Asia'!"

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power to do so, and it authorized the energy office to demand and inspect data the fuel companies had been keeping secret. It was a sure winner until dozens of congressmen recognized it as such and began tacking on all sorts of appendages.

There were problems first of all in the amendments to relax air quality standards. The House wanted to put off the already delayed auto emission standards of 1976 for another two years, and the Senate was being asked to compromise and endorse a one-year delay. But as the Environmental Protection Agency has documented and as the manufacturers have said themselves, cars that meet the 1976 standards will burn less gas on the average than cars being made today. The conference bill also proposed to delay and suspend EPA's traffic control program that seeks to get commuters out of their cars and into buses and trains. Cars are less efficient than buses and trains, and so the less traffic control, the more fuel burned. Finally, the bill would have granted long-term variances from air standards for factories that would like to burn high-sulfur coal during the shortage. But as allowed in this proposal, a factory could take advantage of the law to delay meeting clean air standards until January 1, 1979. Such a profound and long-lasting change in air standards had no place in an emergency bill, the sole purpose of which was to get us through a winter which, it seems, we have almost gotten through anyway.

Of the several other controversies tied up in the bill, one was the pivot upon which most votes turned. This was the plan for an excess profits tax on oil companies. After examining this section carefully, Sen. Gaylord Nelson made what under the circumstances was a heroic decision to lead the fight to send the bill back to conference. He felt, quite rightly, that what it proposed was not a tax at all, but a welfare fund for lawyers. Nelson, who normally votes with the most liberal contingent of the Senate, found himself allied this time with staunch administration backers, conservatives, Southern Democrats and oil state men. A brief look at the "tax" he rejected shows why he acted as he did.

As written by the House, administration of the profits tax was to be dumped on the unsuspecting Renegotiation Board, an obscure agency of the Defense Department created in 1951 to settle differences between Defense and its hungry contractors. According to the bill "any interested party" would be allowed to petition the Renegotiation Board for relief if he thought he had been overcharged on a sale of gas or oil. The board would then be required to judge whether he had been overcharged, and if he had, it would pay him a refund in the amount of overcharge that would be taken from an escrow fund. The offending oil companies would make contributions to the escrow fund. The board's job would be complicated further by the fact that both it and the President would have the power to determine what constitutes an excess profit. There might arise some difference of opinion, but no matter. The bill made a weak attempt to grapple with this two-headed monster, saying that a reasonable profit would be whatever the government defined as the average profit of the average seller between 1967 and 1971. "Average profit," however, may mean one thing to the House and quite another to the oil companies. It would have been a litigator's dream.

Sen. Nelson pointed out that there are less befuddling ways to stop excess profits. For example Congress might repeal the oil depletion allowance: nothing could be simpler. If that's too sacred to touch, Congress might order big oil to divest itself of the pipelines, for as long as it controls the pipelines it controls domestic oil. Congress might also order a rollback of fuel prices, create a federal oil and gas corporation to compete with major firms or found an energy data center. Bills advocating all these changes are before the Senate.

Irony in Peru

When I read recently that the Peruvian military government had nationalized the old and valuable mines of the American-owned Cerro Corporation—with an offer to compensate at less than 10 percent of the company's estimated value of its properties—my thoughts went back 13 years.

As I was preparing to go to Lima as the New Frontier's first ambassador to Peru, it was assumed that among our first policy changes would be an avoidance of the well-deserved Latin American charge that we consistently supported military dictatorships, the traditional bulwark of economic reaction. Vice President Nixon's "goodwill" trip to Latin America in 1958 had turned into a near-disaster, starting in Lima, on this very issue.

I recall being considerably jarred by a visit to Cerro's board chairman in New York, Robert Koenig, now retired. The conversation was surface-friendly but the content was frightening. Bob Koenig was informal, relaxed, cordial. I asked what he considered Peru's most serious problems. The question seemed to surprise him. "Problems?" he asked. "What kind of problems?" I countered that during several weeks of State Department briefings I had gained the impression that Peru faced a number of potentially explosive problems. He insisted that he perceived none other than those Peru had faced for generations and that it would be dangerous to yield to demands that were constantly being made.

Surprisingly he was sharply critical of the International Petroleum Corporation for providing its workers better housing than they were used to or deserved. Nationalization of IPC was, of course, the first

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major step taken by the present military government after its overthrow of the democratic regime of President Fernando Belaúnde Terry in October 1968.

Of the many American-owned companies in Peru, Cerro relied most completely on military support. In the early 1920s its smelter (some 14,000 feet up in the highlands) emitted arsenic poisoning, thus ruining huge lands belonging to the Indians who used it to graze their sheep. Cerro then corrected its smelter operation, purchased the extensive ruined lands (for a reputed pittance) and raised its own sheep, selling the meat at cost to its own workers. But the Indians, claiming the land was still their property, frequently squatted on the lands. Cerro would then call upon the military to shoot the Indians off the lands.

On a visit of several days to the Cerro smelter at La Horoya and the mines at Cerro de Pasco, my labor attaché Tom Robles and I, with management's agreement, held full and frank discussions with the union leaders and, also by agreement, reported our reactions to the company officials. It was apparent that the union leaders were 1) very far to the left and 2) had profound and justified complaints, especially about housing and health. Robles and I made some suggestions, but nothing came of them. Shortly thereafter a Spanish-speaking doctor from the S.S. Hope visited La Horoya and was appalled at the health care conditions he found. The company disregarded his report as some kind of Communist attack. Far from being a Communist, the doctor was a close friend of the head of the biggest American-owned iron mine in Peru.

Several months later, after I had left Peru following the 1962 military takeover, a huge strike broke out in La Horoya, as might have been anticipated. Fires were set and damages were estimated at five million dollars.

And now finally it has happened, but not quite as any of us would have guessed. After the military coup in 1962, Cerro could not have been more pleased, and joined with other American companies (but not all) in communicating to the White House a strong attack on me and their dissent from the Kennedy policy of opposing the military coup. After all, with the military in power, their investments were secure! But I cannot claim much greater wisdom than the Cerro people; after all it never entered my head that the military might accomplish undemocratically what others hoped to see achieved through the democratic process.

There ought to be some kind of lesson in all this. Perhaps it is stated in that one sentence in President Kennedy's speech of March 12, 1962 to the Latin American diplomatic corps on the first anniversary of the Alliance for Progress: "Those who make peaceful revolution impossible will make violent revolution inevitable." Maybe the word "violent" is more applicable to the case of Chile; in Peru the more precise word might be either "undemocratic" or "dictatorial."

James I. Loeb

The Nixon Watch

Between the Acts

At this writing, after a fortnight when there have been no major Watergate shocks and while the President is getting ready to deliver his State of the Union speech and message, his annual economic message and his fiscal 1975 budget, it seems appropriate to catch up with some points and thoughts about the Nixon situation and the Nixon White House that have been minimized or overlooked in my recent reports.

Accounts of Mr. Nixon's declared determination to hang in there, fight off impeachment and put himself and the nation through the agonies of a Senate trial if it comes to that, rather than resign, seldom reflect and convey what to me is the most interesting impression that the inquirer gets from the few assistants who see enough of the President to have a worthwhile version of his state of mind and attitude. The impression that he gives them and that they pass along is that he is absolutely convinced that he is in the right and that his detractors are in the wrong in the whole gamut of issues and allegations that Watergate connotes. His continuing rejection of suggestions that he resign and his defiance of the impeachment process are said to be based upon considerations that transcend mere calculations of what he can and cannot get away with.

The President is comforted, to be sure, by the reports he gets from such advisers as counsellor Bryce N. Harlow and departing counsellor Melvin Laird to the effect that at the turn of January-February a majority in the House of Representatives is not prepared to impeach him, regardless of what the House Judiciary Committee may recommend, and that a two-thirds majority in the Senate is not prepared to convict and remove him. Mr. Nixon is said to understand, as his advisers and informants do, that House and Senate attitudes could change. What fortifies him and moves him to hold fast, according to the assistants who are quoted here, is the certainty in his mind that there is no valid reason for either resignation or impeachment. He tells his people that resignation would be wrong, a disservice to the country, and that impeachment by the House and conviction by the Senate are inconceivable. He is said to say with every indication of genuine belief that either resignation or impeachment and conviction would deprive the country of a President who has served it well and who is obligated to go on serving it well. This sort of thing comes across with a horribly tinny ring when the President and his apologists talk in public about his carrying out the mandate that he thinks he got with his reelection in 1972. It comes across to the assistants who hear it in private from the President as a belief deeply held, a sense of obligation and duty truly and profoundly felt. Gen. Alexander Haig, the White House staff chief, said in a recent in-

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terview and continues to say in conversations that Richard Nixon will be adjudged on his record, once the memory and obsessions of Watergate have faded, as a good President and may be adjudged a great one. Although Gen. Haig is capable of forming his own judgments, this one doesn't come to him from nowhere. It comes from Mr. Nixon.

In White House conversations of the kind reflected here, the President's chances of survival are generally discussed in terms of what the public seems to believe and want, and of what Congress is likely to do. The most heartening indicator recently reported to Mr. Nixon and, it's said, taken by him to be a reliable indicator is that congressmen seemed to return from their year-end recess with no sense of a popular command to get rid of this President. The characteristic reaction reported to the President was that a depressing number of voters would welcome his voluntary departure and that his continued incumbency would be a heavy liability to Republican candidates in the 1974 mid-term elections, but that the same or equivalent majorities dreaded and shied away from the prospect of impeachment. The net effect upon senators and representatives was thought to be a wish that Nixon and the problem personified by him would go away, but not that the problem had to be exorcised by driving him away. A measure of the low state of presidential and White House confidence is that this judgment was taken to be a plus for Mr. Nixon.

Unless the inquirer brings the point up, no discussion is heard of the effect upon the President that the terms and language of the indictments of former Nixon associates that special Watergate prosecutor Leon Jaworski will soon be announcing may have. Jaworski has said that the President is a target of his investigations, that any evidence involving him has been or will be presented to grand juries. The last indication from Jaworski's office was that Mr. Nixon wouldn't be named in the indictments unless he himself were indicted, and that the prosecutor still had to decide whether an incumbent President is indictable. The fact that the Nixon problem is discussed in these terms around the special prosecutor, though not at the White House, is a sufficient measure of the peril from that quarter in which Mr. Nixon stands. Even if he is not explicitly implicated in allegations against others, the implication of involvement is bound to be there and the consequences for him could be decisive. The thunderous silence upon this aspect of the problem at the White House is a further measure of its gravity. A Nixon spokesman said on January 30 that 13 White House lawyers are working full time on the President's Watergate problems, at a cost in salaries and expenses that must run at a yearly rate well above $500,000. It's a figure to keep in mind when weighing the possibility of resignation. Without the immunity from prosecution that an incumbent President is assumed to have but may not have, an ex-President in the only circumstances that might conceivably lead to Mr. Nixon's resignation would have to meet legal expenses that he, with his known resources, could not meet without assistance.

A statement of the President's personal resources issued last December 8 said that he had $466,000 in cash or other liquid assets as of May 1973. He owed $471,000 on his Florida and California homes. What makes these facts relevant is the President's tax situation. His spokesman said in the course of the December 8 disclosures that he would pay any federal or other taxes that he was found to owe during reviews of his 1969-72 returns. Saying this was a lot easier than paying will be for Mr. Nixon if he has to pay all that he may turn out to owe. If the gift of his vice presidential papers to the National Archives in 1969 and the resultant deduction of $576,000 from his taxable income (*not* from taxes due, as many reports indicate) are found to be invalid, he could owe $234,000 to the federal treasury and it could be many thousands more, with penalties. Capital gains and California income taxes that he could also be found to owe could bring the cost of fulfilling his December promise to well over $400,000. Perhaps of graver consequence to him, the tremendous increase in federal income tax that he will have to pay if the vice presidential papers gift and deduction are invalidated could wreck his plans to leave office in 1977 free of debt and a certified millionaire. If the gift is found to have been fraudulently arranged, and there is evidence that it may have been, the hirelings who devised it for him could be indicted and he could be indicted, too, before or after he leaves office.

It was against this background that an argument over what to do about the President's taxes swirled around him in late January. The question was whether or not to anticipate findings by the Internal Revenue Service and the joint Senate-House Committee on Internal Revenue Taxation, both of which are reviewing the President's tax record at his request, that he's evaded taxes that he should have paid and to pay up before such findings are announced. The argument for paying in advance was that it could diminish, though nothing could banish, the harm already done and certain to be done to the President's reputation. The argument for awaiting the expected adverse findings, and then paying up, was that the sums found to be due and the terms in which the findings were stated might be more and worse, or less and better, than was anticipated in January. There could be no sadder commentary upon Richard Nixon and his presidency than the fact that this argument was raging among his lawyers and advisers when he prepared to tell the nation how it was doing and why it should trust him to manage, among other things, the spending of more than $300 billion in fiscal 1975.

John Osborne

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Peace in Palestine?

The Israelis rarely bother to comment on the cloudy reports issuing from the Lebanese capital. The other day, however, Premier Meir's office went to the trouble of formally denying a report in an American paper, quoting unnamed Arab diplomatic sources, to the effect that Israeli and Jordanian officials had held secret preliminary talks on disengagement of their forces along the Jordan River. The rumor came as the Israelis were carrying out the agreement with Egypt on separation of forces on the Suez and as the US was pushing quietly for Israeli-Syrian negotiations on a similar disengagement for the Golan front. But it was easy to see why Israel was so quick to deny the report.

The Cairo-Jerusalem agreement on disengagement was simply the last step in the implementation of a cease-fire accord, a step prefigured in an accord reached months ago. It frees the Suez for Egyptian use but does not spell out the fate of the vast Sinai. It deals with real estate, not people. Those who may be affected—the refugees from the Suez cities—are Egyptians. Agreement could be reached only because the rest of the Arab world was, deliberately, frozen out. Israeli-Syrian agreement will be far more difficult but would involve similar thinking and ground-rules, and a similar, limited solution.

Israeli-Jordanian negotiations are of a different order, since they touch the heart of the problem agitating the area for over 25 years. They would concern Palestine, where land and people are inseparable. The people, now under Israeli occupation, are Jordanian subjects, but many consider themselves Palestinians. The land is not just real estate, but the object of nationalist, religious and cultural passions—Israeli and Arab. Any disengagement to a certain extent would prejudge the future of Palestine. Any deal on Palestine would involve the whole Arab world.

The Yom Kippur war and the events surrounding it are known in Israel as "the earthquake." That terrestrial disturbance shook Israel to the core but it also sent tremors through Jordanian Palestine. Since the 1967 war the 600,000 people of the west bank had been in a kind of daze. The Israelis soon controlled terrorism and stilled restlessness with a stick-and-carrot technique. There were tough jail sentences for saboteurs. The homes of suspected terrorists were blown up to deter others. At the same time the old borders were opened to permit tens of thousands of Palestinians to work in Israel at higher wages than at home. Materially the farmers and merchants had the best of times. They could ship their goods westward to Israel and eastward to Jordan, Kuwait and Saudi Arabia.

The practical "west bankers" kept their heads down during this war, and there were no sabotage incidents, but the 1973 fighting destroyed the image of invincible Israel. The Palestinians took pride in the progress of Arab arms and the restoration of Arab honor. They took hope from Arab unity, temporary or not, and the effectiveness of the oil blockade. It would be an exaggeration to call what is now happening on the west bank a ferment. There has been some sabotage, one minor protest strike, one small demonstration. But the mood of resignation has been replaced by a cocky belief that the Israeli occupation must soon end. Before the war, it was hard to draw out the west bankers about the future. With the Israelis planted there, with the shadows of King Hussein and the rival Arab commandos ever present, the west bankers remained studiously uninvolved. Now, suddenly, the idea of a Palestinian entity has become an accepted notion.

The professional men of the cities on the west bank—druggists, doctors, lawyers, accountants, teachers—and some of the merchants always favored a Palestinian state, perhaps because they saw themselves, the trained cadres, as its leaders. The landed gentry and the "notables" were either King Hussein's men or else partisans of union with Hussein's east bank. How else could they ship their goods eastward and keep in touch with the political and commercial life of the east bank? Since the war some of the men of power have shifted their positions ever so cautiously. They speak now of the desirability of a Palestinian entity, of the need for free choice and a plebiscite under United Nations administration. They are probably still practical enough to want both self-rule and links with Jordan, but with support for the Palestine Liberation Organization growing on the west bank, they are careful to say little or nothing about the King and the east side of Jordan.

There seems to be little that the west bankers can do for the moment, however. The area has always been fragmented. It has no national leadership, no single organization that speaks for it. The war compelled the Israelis reluctantly to recognize that people called Palestinians do exist, but the vast majority of Israelis still insist there is room for only two states— Israel and a Palestinian-Jordanian union—between the Mediterranean and the Iraqi border. The Israelis shudder at the idea of ardent nationalists, untrained in government, bitter over the loss of Jaffa, Haifa and Beersheba a quarter-century ago, in power next door. They can imagine a Palestinian-Jordanian state having commercial, perhaps even political ties with Gaza, across the breadth of Israel. A west bank-Gaza state open to commando influence poses security nightmares. So while Mrs. Meir and her colleagues are far from final decisions on acceptable borders with a Jordanian-Palestinian state, it is quite clear that Israel has no intention of abandoning its chain of security settlements overlooking the Jordan rift, permitting an Arab army to approach Jerusalem or allowing Arab guns again to dominate the narrow Israeli "waist" halfway between Tel Aviv and Haifa. And lest the west bank get the wrong idea, Israeli officialdom has warned prom-

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inent Palestinians not to accept invitations to a forthcoming PLO-sponsored Palestine National Conference in Cairo.

Then there is King Hussein. He has promised the west bank self-determination once the Israelis leave, but he wants the Palestinians to remember they are his subjects and to choose a federal union. The King, a practical man, seeks to take over the moment the Israelis leave and to have his bureaucrats run any plebiscite. The nationalists, who remember Hussein's pre-'67 rule as iron-handed, prefer the UN or the Arab League. The King is carefully reasserting his influence. Recently he renewed payments of salaries to west bank officials, which he had suspended several years ago. Hussein's supporters are quietly campaigning among the neutral but substantial citizens of west bank villages and towns. With his army, his Palestinian subjects on the east bank, his promises of stability and Arab markets and the fact that Israel will deal with him and not with the Palestine Liberation Organization, Hussein cannot be counted out.

If the war changed Palestinian attitudes, so did six years of Israeli rule. West bankers who once dreamed of an Arab-dominated state encompassing all of Palestine have come to recognize that Israel will not be destroyed and that commercial ties with Israel can be valuable. The problem is that there are more Palestinians living outside the west bank than in it, and that those outside are more militant than those within. The Arab commandos are of two minds. Yassar Arafat supports Egypt's bold action in making a deal, however minor, with Israel; other commando leaders criticize Sadat. Some commandos would be ready to accept a Palestinian entity on the west bank and Gaza; others reject this as surrender and insist on a secular state in all of Palestine. The Arab states maneuver around the commandos for their own purposes. Egypt supports the PLO; Jordan fears it. Syria, concerned that big-brother Egypt may be concerned only about itself, establishes a temporary working relationship with Jordan.

If all this is complex, it is arrow straight compared to the labyrinth of Jerusalem. The city's two peoples are as different as can be, but since '67 Jerusalem has functioned as one. The Israelis, who cannot forget that they were barred from Arab Jerusalem and the remnants of their temple for 24 years, have built a crescent of Israeli housing around Arab Jerusalem, in what was Jordan before '67. They will grant control of the holy places to the proper religious groups—they do now—and they will give Jerusalem's Arabs, Jordanian citizens, some kind of self-government under a borough system. But they will not consider the redivision of Jerusalem, no matter what King Feisal or Henry Kissinger may say or do. This leaves many questions unanswered. One example: Given a Jewish state and a Palestinian-Jordanian state, what contact would Arab Jerusalemites have with their compatriots in Ramallah, 20 minutes to the north, or Bethlehem, 10 minutes to the south?

Cease-fires and disengagement agreements are one thing, a settlement between two peoples in one land is another. It will not be surprising if the Palestine problem is the final item on Secretary Kissinger's Middle East agenda.

Alvin Rosenfeld

MR. ROSENFELD *has just returned from three and a half months in Israel, where he covered the war for* The Washington Post.

Oil Aplenty in Canada But Not for Export

Ottawa

Canada is the only industrialized country that produces enough oil to meet its own needs, but the energy crisis is still having a major impact here. It is certain to reduce the amount of oil that Canada exports to the United States—and Canada was America's biggest foreign oil supplier even before the October war and the Arab embargo, providing almost five times as much as Saudi Arabia did in 1972. The crisis has led both countries to aim for self-sufficiency in energy by 1980, which could deny both of them the optimum use of continental resources. It is also likely to trigger significant changes in the way the Canadian federal system works, probably shifting a measurable degree of power from Ottawa to the provinces.

The fact that there is a Canadian energy crisis when there is no shortage of oil is the joint product of the century-old Canadian constitution and the 15-year-old "National Oil Policy." The constitution, the British North America Act of 1867, gives the provinces ownership of natural resources—in this case Alberta, which produces 85 percent of Canada's oil, and Saskatchewan, with 11 percent. The BNA also gives the federal government control of interprovincial and international trade, and Ottawa and the producing provinces are fighting over who controls that trade in oil.

Oil became big business here with the discovery of the first Alberta field at Leduc in 1947. Pipelines were built to carry this oil eastward, first to the Ontario refinery center of Sarnia and then to Toronto, in the 1950s. By the time the Alberta oil arrived in Quebec or the Atlantic provinces, however, it cost more than oil imported from Venezuela or the Middle East in the good old days of low prices. A royal commission recommended in 1959 that Canadian oil be used only west of the Ottawa valley and that Canada east of that line use imported oil, which would be at least one cent a gallon cheaper. This became the national oil policy

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under John Diefenbaker in 1961 and is only now being changed. The Canadian West saw the policy as one more dirty deal from the uncomprehending East. Alberta still nurses the grudge, though it soon found a healthy market in the US Middle West. Canada exported an average of 1,132,000 barrels of crude a day to the United States last year, while importing 842,000 barrels a day from other countries to the five Eastern provinces.

The rise of world oil prices compelled Ottawa, like other capitals, to start rethinking its energy policies. Last December Trudeau announced that the pipeline would be extended eastward from Toronto to Montreal by 1975. It will move at least 250,000 and perhaps as much as 500,000 barrels a day of Western oil east of the Ottawa valley to reduce dependence on imports. Alberta cannot produce any more oil than it is doing and those shipments will be diverted from what now goes to the United States.

Earlier, Trudeau froze domestic oil prices and at the same time slapped an export tax on oil sent to the United States, in effect raising the price of Canadian oil south of the border—though not quite as much as world prices rose. Sen. Richard Schweiker recently complained that it was "un-American" of Canada to follow the Arab example, and that produced howls from the nationalists here—more of glee than pain. Alberta and Saskatchewan, however, complained that it was un-Canadian for Ottawa to tax their natural resources, even though the federal government gave half the export tax revenues back to the producing provinces. They went ahead with their own plans for raising oil prices and royalties to benefit their own residents. The mildly socialist government in Saskatchewan intends to keep the increased revenues in its own public sector, while the nominally conservative government in Alberta intends to divide some of the take with the oil companies.

Trudeau and the 10 provincial premiers held a two-day conference here in January to try to settle the problem but bogged down on the question of short-range prices. The federal government wanted to continue the price freeze through the end of April. It would then allow phased increases in the wellhead price of Canadian oil, using the increased revenues (including those from export taxes) to cushion the price paid by Eastern consumers, so that there would in effect be one price throughout Canada. The proposed federal formula would have divided the increased revenues to give the oil-producing provinces a maximum of 27.5 percent of the total, or $1.4 billion when the price of Canadian oil reached eight dollars a barrel domestically in 1976. It would have given the Eastern provinces amounts declining from $1.4 billion to $730 million to cushion the dwindling difference between Canadian and world prices, but only $200 million for equalization payments to correct regional disparities. It would have given the oil industry a maximum of 21.6 percent of the increase—$800 million at the eight-dollar price—to keep up exploration and development.

The premiers agreed to an ultimate one-price policy and compromised on extending the price freeze through the end of March, but rejected the federal formulas for both short and long terms. In effect they gave themselves another 60 days to come up with an answer. But in a system like Canada's, where the provinces hold real power and the balance between the center and the provinces is in a state of constantly changing tension, any failure by the federal government to get its way on a major issue is likely to mean that the balance has shifted toward the provinces. The conference agreed to let Saskatchewan set prices and royalties as it wants. Saskatchewan accounts for a small share of Canadian output and most of its production is exported, so it will not affect the domestic market much; and it agreed to raise the price of crude only one dollar a barrel, or two dollars under certain conditions. Even so, and despite an explicit denial by Trudeau, the fact that Saskatchewan won in principle is a precedent that Alberta will be certain to invoke. Alberta's price for agreeing to the two-month price freeze was a promise to consider a long-standing Western demand for parity in other commodities besides oil, which would mean revising freight rates that have discriminated against the prairie provinces since the 19th century—a promise that Trudeau has refused before.

The Prime Minister expected the producing provinces to vote against the price freeze but seemed surprised that the five Eastern provinces objected just as strongly. Their industries, paying world oil prices, could not compete with industries in Ontario and the West paying frozen prices. The Eastern premiers also objected to low equalization payments, just as the producing premiers objected to their low percentage of the take. Everybody was unhappy with the idea of a federal subsidy to the oil industry, although Alberta will probably give the oil men an even bigger share if it makes its taxing power stick. (The Canadian oil industry is 74 percent US owned.)

Beyond the immediate and the constitutional issues at the Ottawa conference were the questions of long-range energy policy. Premier David Barrett of British Columbia raised the question of nationalizing the oil industry and Premier Ed Schreyer of Manitoba discussed regulating it like a public utility—proof at the very least that there is a political left alive in Canada. The federal government has pledged to set up a national petroleum corporation—to negotiate with foreign oil producers, to explore for oil in new areas, and to put $40 million into studying the technology needed to exploit the Athabasca tar sands in Alberta. The Alberta government says the sands hold at least 250 billion barrels of recoverable crude oil, of which 26.5 billion barrels are recoverable with present techniques;

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that would be enough to meet Canada's needs for 25 years, even allowing for a five percent annual growth in consumption, but full production is highly unlikely before 1990 and Canada may face real shortages in the 1980s. One plant is getting oil out of the tar sands now, at a loss. Another company is due to start operation of a 125,000-barrel-a-day plant in 1977 and a third $800-million plant is scheduled to add another 100,000 barrels a day about 1980. All involve US money, and Alberta has set up a provincial government corporation to participate.

While the premiers met here, US Interior Secretary Rogers Morton and energy czar William Simon made noises that sounded favorable for US support of a natural gas pipeline down the Mackenzie River valley. The Canadian government has made this part of its energy policy. The pipeline could bring gas from Alaska as well as from the Canadian Arctic and save construction of a gas line alongside the projected trans-Alaska oil pipeline. US companies are backing the Mackenzie gas line and US money will be needed to build it.

The question about both the tar sands and the Mackenzie valley pipeline is simple and two-edged: will both the US and Canada allow US money to be used to exploit these Canadian resources? President Nixon—even President Nixon—has begun to talk about revising oil industry taxes to encourage investment at home rather than abroad. Nobody knows yet whether this will inhibit the desire of American companies to invest in Canada, but it might. At the same time Trudeau is trying to harness the force of Canadian economic nationalism, and sometimes he must give it its head. His energy minister, Donald Macdonald, once pledged to keep 51 percent of a Mackenzie pipeline in Canadian hands. That made the American backers unhappy and Macdonald later seemed to back away from the promise. Neither country can have things both ways in its quest for self-reliance.

Anthony Astrachan

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A New Generation of Weaponry

Why More Nukes?

by Walter Pincus

The Defense Department is talking seriously of developing a low-yield nuclear weapon that would kill enemy troops—and anyone else in the battle area—through enhanced neutron radiation. At a congressional hearing in April 1973, Dr. Harold Agnew, director of the government sponsored University of California Los Alamos Scientific Laboratory, described what would happen to anyone who got a substantial neutron dose: "In a very short time he would become very ill and would be incapacitated; in a day or so he would be dead." The proposed neutron weapon is only one of a new generation of low-yield tactical nuclear bombs, missiles and artillery shells that government laboratories have designed or are developing for battle use. If these weapons are produced and placed in the hands of American troops in Europe, they could have a substantial impact on both the Russians and our European allies.

The current nuclear stalemate that deters a major war rests in good part on mutual fear that any initial resort to an atomic weapon would automatically trigger escalation. The argument for these new "mini-nukes" is that because they are small and accurate their use by the US or its NATO allies would not bring on a Soviet nuclear response. As Gen. Andrew J. Goodpaster, supreme allied commander in Europe and a prime supporter of these weapons said recently: "if we were to apply in a controlled way limited numbers of nuclear weapons sufficient simply to stop [a large-scale nonnuclear Soviet attack on Western Europe] and impose costs and losses on their attack echelons, my own feeling is that the probabilities would be much less than even that they would immediately carry that to all-out nuclear exchange involving their own homeland."

Who's pushing for these small nuclear weapons, and thereby seeking to change the present nuclear standoff? What discussions and debates preceded the deci-

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sion to develop them? Where was Congress? What role has the public in such a decision? How is nuclear weapons policy made?

Few things are as closely held within the government and Congress as policy on nuclear weapons. In 1969 while serving as chief consultant to a Senate Foreign Relations subcommittee chaired by Sen. Symington, I learned that. Touring Europe and the Far East, investigating US military facilities and programs, I asked in each country about the presence of our nuclear weapons—what kind there were, what were their missions, who knew about them. A pattern formed itself. We had more nuclear weapons and more varieties of them than I had imagined. And they were closer to the borders of the Soviet Union and other Communist countries than I had thought. It gave me a somewhat different perspective on the US response to the threat of Soviet missiles being sent to Cuba.

Some of our nuclear weapons were mounted on fighter bombers in countries bordering Russia. The pilots were not American, but from the host country. These planes were on 15-minute alert at the end of runways, prevented from taking off only by a fence, an American guard and knowledge that without an American turning some dials on the bomb, the weapon would not be armed. Likewise in two Far East countries US-piloted F-4 fighter bombers armed with nuclear weapons stood at the end of runways on 15-minute alert. Against whom? we asked. At a secret Pentagon briefing we were told the host countries initially had permitted us to station F-4 squadrons; that F-4s could carry both conventional and nuclear weapons; that F-4s were most cost effective when nuclear armed and the most efficient mode to be so armed was on 15-minute alert. In just that offhand manner serious nuclear weapons policy was made.

A few of our ambassadors professed not to know nuclear weapons were in their areas. In one instance nuclear bombs were stored in a foreign country without the knowledge of that country's president. One US Army officer in command of a nuclear weapons depot in the Far East described joint exercises with the host country army using dummy nuclear weapons, although we had no agreement with that country on sharing such weapons. What was being done violated provisions of the Atomic Energy Act.

The information gathered on those field trips raised concern among Foreign Relations Committee members. But they were unable to follow through in any detail. At first the Nixon White House threatened to invoke executive privilege on all nuclear weapons questions. Then, after one briefing on the worldwide location of these weapons, the administration position changed. All such information would in the future only be given to the Joint Committee on Atomic Energy. Sen. Symington in 1972 became a member of that committee, and last year he was named chairman of its military applications subcommittee. Picking up the questions first raised in 1969, Symington went on to examine defense nuclear policies, publishing late last year the first declassified nuclear weapons hearings. Those hearings and another last month give us the first detailed information on nuclear weapons development. They also offer a background for understanding the new proposals.

Most discussion of nuclear weapons focuses on the ones we term strategic—Titan II, Minuteman II and Minuteman III missiles buried in launch sites within the US; the Polaris, Poseidon and the in-development Trident submarine sea launched missiles; and our fleet of B-52 and FB-111 bombers—150 of which are always on runway alert—all of them equipped to carry a mix of nuclear bombs. How much destructive power does this represent? One of our newest nuclear bombs—the B-61—has several yields; a dial on its side lets you choose how big a blast you want. Its highest yield is over 200 kilotons. That must be compared to the 14-kiloton atomic bomb which leveled Hiroshima. One B-52 can carry four such bombs. Put another way, the weapons in our nuclear stockpile have a possible yield of several billion tons of TNT; all the bombs dropped in Europe and the Far East during World War II, except for the two atomic bombs, amounted to two million tons.

Along with what we term our strategic nuclear weapons, we have another large group—the tactical weapons. These include not only nuclear bombs such as the B-61, for fighter bombers, but also land-based mobile missile systems such as the Pershing, which can fire up to 400 miles and has a warhead with a yield of over several hundred kilotons. Two other shorter range, older missile systems have nuclear warheads—the Honest John and the Sergeant. They are being replaced slowly by the Lance, which has a warhead with three different nuclear yields and a range of anywhere from about three to 80 miles.

In addition the army also has two pieces of nuclear-capable artillery—the 155-millimeter and somewhat larger eight-inch guns. Then there is the controversial atomic demolition mine (ADM), a device planted before an oncoming invader and ignited, causing enormous craters to stop tanks and land eruptions to close off mountain passes. Europeans, West Germans in particular, have not permitted any holes to be dug to plant these. There are also nuclear anti-aircraft weapons with kiloton yields, and the navy has some 2000 nuclear anti-submarine weapons including torpedoes, depth bombs and underwater rockets.

Until a few years ago the production of nuclear weapons was primarily based on high-yield technology developed almost 20 years earlier. But American military men, particularly those in Europe, have been increasingly uncomfortable with high-yield tactical nuclear weapons which they feel they could never fire;

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our NATO partners for their part have always been uneasy about planning for a war in which US tactical nuclear weapons could devastate their countries.

Meanwhile laboratories run by the Atomic Energy Commission and the Defense Department have been exploring new forms for nuclear weapons. A navy developed glide bomb called the Walleye was taken by one AEC lab and provided with a limited nuclear capability. Since the Walleye was a TV-guided bomb with great accuracy, the successful teaming of it with a low-yield nuclear charge began the general movement toward a new generation of weapons. The army picked up the idea for its smaller mininukes and shortly thereafter generated a rationale for them. "Achievable new weapons of lower yields and of greater accuracy," Gen. Goodpaster told Symington's subcommittee last June, "could increase military effectiveness while reducing possible collateral damage, thereby increasing their utility as well as the acceptability in NATO planning and for employment in the NATO countries and the adjacent areas in which they would most likely be used." At a hearing two months earlier, Maj. Gen. Frank A. Camm, the AEC's assistant general manager for national security, was enthusiastic about the future of mininukes in the event of a war with the Soviet Union in Western Europe. An artillery officer who strongly believes in making new nuclear shells for the 155-millimeter and eight-inch guns, Gen. Camm stated, ". . . the yields of the nuclear artillery projectile are very much smaller than the bombs or missiles that we are using at longer ranges. Therefore, we are much less likely to inflict serious damage in the area we are fighting in than if we use larger yield weapons . . . You don't leave radiation on the ground. You burst them in the air. The blast and radiation damage the target you are hitting. Then you can move right through the area immediately because they are airbursts . . . Airburst minimizes any residual effects that might remain on the ground."

Nuclear weapons are now being discussed as if they were no different from any other weapons. At one point, Maj. Gen. Edward B. Giller argued the mininukes might be less damaging than conventional weapons: "for instance, the [conventional] artillery barrage might create more casualties on some targets than a single, small nuclear weapon."

Abetting the military in the promotion of the new nuclear weapons are the AEC laboratories that developed them. Los Alamos Laboratory director Agnew was asked why the neutron bomb that incapacitated people had not been more fully exploited. "I really don't know why people have not thought more on the use of these . . . weapons. It may be that people like to see tanks rolled over rather than just killing the occupants." But Mr. Agnew assured his questioner, "I know we at Los Alamos have a small, but very elite group that meets with outside people in the defense community and in the various think tanks. They are working very aggressively trying to influence the Defense Department to consider using these . . . weapons which could be very decisive on a battlefield, yet would limit collateral damage that is usually associated with nuclear weapons."

Dr. Carl Walske, assistant to the Secretary of Defense for atomic energy, describes studies done at Los Alamos and the Lawrence Radiation Laboratories that sought to find nuclear artillery shell yields specifically for use in less-populated areas of Europe. "These are somewhat spongy figures," Dr. Walske told the Symington subcommittee in setting out a range of nuclear weapon yields that he said "can be militarily effective, decidedly effective and which can be used between villages, if you like, as you find them in the density that they occur in Europe."

In 1973 the AEC and Defense attempted to start manufacturing their first new mininukes—new artillery shells for the 155-millimeter and eight-inch guns. The program was to cost over one billion dollars. When objections were raised in Congress costs were immediately cut in half. When objections persisted it was announced that most of the expense of the new shells would be recovered by selling the uranium in old shells that would be replaced. At one point Gen. Goodpaster even suggested that nuclear "material that can be obtained from the old eight-inch shells would in fact more than pay for a one-for-one replacement."

Cost, however, was not the only congressional objection to the program. Several senators and representatives joined Symington in asking why nuclear artillery was needed at all. Sen. Pastore, chairman of the Joint Atomic Committee, became concerned about the weapons after a trip to Europe, where he saw how close they were to the border. He feared they would be quickly overrun in any Soviet attack. In response Gen. Goodpaster said that if necessary the weapons could be moved back. Rep. Chet Holifield, upon being told the artillery had a range of 18 miles said, "I think it is a dangerous thing to have this type of opportunity for provocation to start a full-scale nuclear war. I think that goes for the demolition bombs [ADM] too . . . It seems to me that we are really playing chocolate soldier on some of these things."

Congress late last year knocked out $15 million sought by the AEC to start the modernization program for nuclear shells, but the money is expected to be back in the new budget. Never at a loss for rationales, the AEC came up last month with a new one for weapons modernization security. The AEC has got a new electronic system that would immobilize a nuclear weapon if it is seized by someone unfamiliar with how it should be handled. The new system was designed in the wake of terrorist activities and a fear that someone might try to steal a weapon. We can expect the AEC to argue that old nuclear artillery shells should be replaced because they cannot be made totally secure

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from theft.

Next month the Symington subcommittee will break further new ground by holding the first public hearings on nuclear weapons. The focus will be Europe, the nuclear weapons the US has there and their future status. The first witness will be former Defense Department officials from the Johnson administration, who will be followed by Secretary of State Henry Kissinger and Secretary of Defense James Schlesinger. The "unthinkable" subject is finally getting aired.

The Bolling Reorganization Plan

Shaking Up the House

by Iric Nathanson

Ten congressmen, led by Missouri's Richard Bolling, have been working to overhaul the machinery of the House of Representatives. Known formally as the Select Committee on Committees, they have come up with a plan to restructure the antiquated committee system. They say they are only trying to make the House more effective but they are really out to redistribute power in Congress. If the Bolling plan, released in draft form December 7, stays afloat through numerous attempts to torpedo it during the second session of the 93rd Congress, several of the most influential committee chairmen will find that their authority has been considerably trimmed. And as longstanding legislative arrangements are altered, rank and file congressmen may discover that power will begin to flow more freely throughout the House.

The organizational structure of the House has not been revised significantly in 27 years. Currently it has 21 standing and 125 subcommittees, many of whose jurisdictions overlap. Authority over the same subject is often divided between more than a dozen different groups. Eighteen subcommittees, for example, deal with education in one way or another. One committee of 37 members looks after the merchant marine and fisheries. Another group of 27 oversees the Post Office and the federal civil service. No one committee has primary responsibility for the environment or energy. When new issues arise, competing committees wage jurisdictional battles for possession.

Bolling, a hard-headed 12-term veteran from Kansas City and a protégé of the late Sam Rayburn, is widely acknowledged to be the House's leading authority on congressional reform. He favored the creation of the Select Committee during the early days of the 93rd Congress and appropriately enough was made its chairman. In May of last year he launched an extensive series of public hearings, calling in political scientists who had written or thought about congressional streamlining. The committee spent 36 days taking testimony in open session. Eleven committee chairmen, each with good reasons why his or her committee should get more not less authority, testified.

When the Select Committee's draft report was released last December three lesser chairmen found that their empires were to be destroyed. The Merchant Marine, Post Office and Internal Security Committees were to be abolished and their jurisdiction transferred to other House panels. Internal Security, back when it was known as the House Committee on Un-American Activities, had provided the political springboard for Richard Nixon. Long a target of civil libertarians, HISC, as it is now called, was to be absorbed by the House Judiciary Committee.

Merchant Marine's chairwoman, Leonor Sullivan, was the first to express outrage. "I'll fight it to the death," she said when asked about the move to do away with a position she had waited 20 years to get. The chairman of Education and Labor, soft-spoken Carl Perkins, was not pleased to learn that his committee was to be split in half. Education was to be assigned to one legislative unit, labor another.

If Bolling's plan is adopted, the domain of one of the House's most awesome chairmen, Wilbur Mills, will shrink. Mills' powerful Ways and Means Committee will get only one significant grant of new authority, the food stamp program, from the Agriculture Committee. In return Ways and Means will have to give up initial jurisdiction over a key item on its 1973 agenda, foreign trade, to the underworked Foreign Affairs

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Committee (Mills' committee will retain review authority over legislation developed in this area). Jurisdiction over the national debt will be transferred to a new Committee on the Budget. Chunks of other Mills territory will be parceled out. Health insurance, except for its tax aspects, will go to Interstate Commerce (renamed Commerce and Health). Work training components of public welfare will be sent to Labor. And general revenue-sharing, a program originally opposed by Mills, will be moved to the Government Operations Committee.

Another committee baron, Wayne Hays, will find that his House Administration Committee has been left with housekeeping chores. Hays will have authority over the beauty shop and the parking garages in the House. But his committee will lose jurisdiction over campaign spending and federal election laws. (Hays has been under fire from Common Cause's John Gardner for blocking action on campaign reform legislation.)

The big winner in the shuffle will be the Interior Committee, which is scheduled to be overhauled completely and renamed Energy and Environment. For more than a dozen years past, Interior was in the tight grip of its irascible chairman, Wayne Aspinall. In 1972, the Colorado congressman, then 76, was defeated for reelection. With his departure chairmanship of Interior passed to James Haley, an obscure Floridian. With its focus on public lands, water resources and mining, Interior has always been considered the special preserve of Western congressmen. Now it will become a sought-after assignment for House members from all parts of the country as it gains authority over energy and environment. Commerce will send the revamped committee all matters concerning fuel allocation and air pollution control. Public Works will supply water pollution abatement programs. The doomed Merchant Marine Committee will contribute its one big current concern, national environmental policy.

Other House units will find that their business has changed appreciably. Agriculture will get a more conservationist slant as it acquires jurisdiction over public lands, national parks and wildlife. Public Works will become essentially a transportation committee, gaining urban mass transit from Banking, railroads from Commerce and ocean shipping from Merchant Marine. Several major committees, most notably Appropriations and Rules, will be affected only minimally. Two minor committees, Veterans and District of Columbia, will remain pretty much as they are.

The December 7 report was a trial balloon. The Select Committee will start drafting legislation in February. Once the bill is written, it will go to the Rules Committee and then on to the House floor. Since the reorganization plan is technically an amendment to the House Rules, no Senate concurrence or presidential signature will be necessary.

Over the years hundreds of lobby groups have worked out cozy relationships with committee members and committee staffs. Now these "interests" will find that the players have all changed places, as in a giant game of musical chairs. Some chairs will have been removed—a painful prospect to the maritime unions and federal civil servants, among others. If and when the committee reorganization is completed, most lobbyists will find new niches. But for a while, at least, they will be adrift. And even after new jurisdictional boundaries have been drawn, many powerful lobbies are likely to discover that they no longer have exclusive claims they once had.

For instance the highway lobby for years has jealously guarded the highway trust fund, fighting off mass transit advocates who wanted access to it. The lobbyists had a friend in the Public Works Committee, whose Rayburn Building offices resemble a branch of the American Road Builders Association. Now the road builders will have to share Public Works with the transit people and other transportation competitors. At first this could work to the disadvantage of the transit crowd whose traditional allies have been left behind in the Banking Committee. In the long run, however, the new arrangement may encourage a more balanced transportation system. Competing interests will clash in the revamped Interior Committee, where energy and environmental needs will be pitted against each other. But as the committee works to reconcile conflicting claims, a more rational and comprehensive public policy could emerge.

I've used the words "may" and "could" frequently. We don't know what the long term effect of the reforms will be. There is no guarantee that the same institutional rigidity that has handicapped the House in the past won't return. Some observers think that there is only one way to build durable flexibility into the committee system, rotating committee assignments, a proposal Bolling and his committee have rejected. If rotation were mandatory, each House member would be limited to a set number of consecutive terms on any one committee. After six or eight years on the same committee, he or she would have to move on. Moving from one committee to another, congressmen would get a broader view of public policy than they often get now. When it was suggested during the Select Committee hearings that committee memberships rotate on an eight-year cycle, Bolling rejected the idea as being too rigid. When happens, he asked, when "an absolutely key guy in a particular area has finished his eight years, and everybody unanimously wants him to stay on?"

Recognizing his colleagues' reluctance to give up attractive committee posts, Bolling has opted for a more politically feasible voluntary rotation system, whereby members can change assignments without having to start at the bottom of the seniority ladder, as they must do now if they move. The December 7

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report outlines several alternative plans enabling members to change committees and retain at least some of the seniority accrued during previous committee service.

But a voluntary rotation system has hidden dangers. In the words of a Democratic Study Group staff member, it can be used to head off a potential committee chairman "at the pass." He describes the following scenario: "What if the next man in line for a chairmanship on a certain committee happens to be somebody the leadership doesn't want? They move in somebody from another committee with enough seniority to snatch the chairmanship away from the first guy." Lateral rotation, as it is called, could pose real problems for some who are just about to reach their committee's top post after waiting in line for 10 or 15 years. The Bolling committee will have to confront this question more directly when it starts drafting formal legislation this week.

Some reformers also feel that the Bolling plan retains too much power in the hands of the three "supercommittees," Ways and Means, Rules and Appropriations. Of the three only Ways and Means is touched by the jurisdictional realignment. But at least the gap between the supercommittees and legislative units at the bottom of the House's pecking order is somewhat narrowed. Science and Astronautics, for example, which saw its reason for being fade away with the demise of the manned space program, will be renamed Science and Technology and given jurisdiction over almost all federal research and development activities, including military as well as energy and environmental "R and D." Foreign Affairs, which spends a large portion of its time on an annual foreign aid bill, will get initial jurisdiction over foreign trade and joint jurisdiction with Armed Services over the CIA and other foreign intelligence operations.

A nagging question remains: What real difference can any of this institutional tinkering make in a body that has let so much of its power drain away during the Nixon years? Well, one can only hope that the next Congress, the 94th, will assert its authority more forcefully and wisely. In the final analysis the effectiveness of the next House will be determined not by its committee system but by who gets elected next November. If the will and the intelligence are there, and it is channeled by good leadership, institutional reform can be important.

Don't Count on Congress

Flight from Aid

by Stanley Karnow

It is sometimes said these days that with the authority of the President on the wane, Congress ought to exercise a more decisive role in the management of national affairs. Is not Capitol Hill a more sensitive gauge than the White House of how the winds are blowing in the country? And in the light of Mr. Nixon's egregious abuse of power, isn't the pluralism of Congress a democratic safeguard? Some advocates of a stronger legislature look longingly at Britain and suggest that a parliamentary system might be more responsible than our constitutional system. The speculation is interesting, but empty when put to the test.

One such test came a couple of weeks ago, when the House of Representatives overwhelmingly voted to reject a bill to provide the International Development Association, the easy money department of the World Bank, with fresh funds to help the poorest of the world's poor regions. The vote partly mirrored congressional disgust, particularly among Republicans, at the administration's miserly support of domestic programs to improve health, housing, education and welfare. It also reflected the fact that Americans, troubled by fuel shortages, spiraling prices and high interest rates, feel that charity begins at home. But the House action was nevertheless, as World Bank president Robert S. McNamara said in an unusually emotional statement, an "unmitigated disaster." It means that the US is prepared, at its own future risk, to neglect areas that are going to become more and more important for vital natural resources. And it signifies that Americans, who consume nearly half of the raw materials on earth, are giving vent to their own frustrations by condemning more than a billion impoverished Asians and Africans to malnutrition and

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perhaps starvation.

The general disillusionment toward foreign aid in recent years is understandable. Many are disappointed that several European states, which would have crumbled after World War II had it not been for the Marshall Plan, now coldly rebuff appeals by the US for cooperation. There is also a spreading suspicion, justified, that US assistance frequently fills the coffers of dictatorial regimes that have little regard for the well-being of their own people. With the abatement of the Cold War, Americans can no longer be rallied to aid as a weapon against communism. And these attitudes have been heightened by the sentiment that America's monetary and other economic difficulties are largely the result of past generosity. The extent to which foreign aid had fallen into disfavor was underlined by Congress' failure to authorize assistance money in 1971 and again in 1972, and finally voting by a narrow margin last year to give the administration about 85 percent of its request for $2.4 billion.

Among their other complaints, many congressmen grumbled that other industrial nations, whose prosperity has soared within the last decade, ought to share more of the aid burden. It was precisely that complaint that prompted the creation in the early 1960s of the World Bank's International Development Association as a multilateral instrument comprising 25 major donor states. Funds for the association would be replenished periodically, and, under the initial agreement, the US committed itself to provide 40 percent of the financing. Though this made the US the biggest single contributor, its share in proportion to its gross national product was smaller than every other donor except Austria and Italy. Even so, sensing the rising hostility of Congress to aid programs, Secretary of the Treasury George Shultz went to the annual meeting of the World Bank in Nairobi last September determined to reduce further the US contribution. He succeeded in cutting it to 33.3 percent by persuading the Germans and Japanese to boost their subsidies significantly, and he returned to Washington to ask Congress for $1.5 billion to cover the US share of the association's funds for the next four years.

The International Development Association was conceived as a channel through which to funnel long-term interest-free loans to the most marginal countries. One criterion for recipients is a per capita income of $375 per year or less, and in order to minimize corruption the association requires that loans be linked to concrete operations. The majority of these are designed to increase agricultural production, develop communications and improve transportation. Most are concentrated in destitute regions of Asia, Africa, Latin America and the Middle East. Individual projects have ranged from the construction of roads in Afghanistan, Malawi and the Yemen to promoting livestock breeding in Paraguay, spurring tea cultivation in Indonesia and encouraging education in Ethiopia, where 87 percent of primary age children are permanent truants. Within recent months the association has been confronted by three crises. What McNamara calls "one of the worst droughts in human history" is plaguing Niger, Upper Volta, Mali, Mauritania, Senegal and Chad, the lands that make up the Sahel Zone of West Africa. Drought combined with a threefold rise in the price of imported grain are threatening India and Pakistan as well as newly independent Bangladesh, where 75 million people struggle for subsistence on an area the size of Florida. Aggravating these conditions, the cost of Arab oil has jumped fourfold, which means that the developing countries as a whole will be forced to spend $10 billion more for fuel this year than they did last year—or, as is more likely, cut back the energy they use for development.

The urgency of these crises inspired the Nixon administration to make a special effort to sway the House subcommittee on international finance, which held three sessions in November and December to consider the US contribution to the International Development Association. For the first time the President sent the House a message stressing that the US share in the association's funds had been apportioned "more equitably." The hearings featured Shultz, former World Bank president Eugene Black, Chase Manhattan Bank board chairman David Rockefeller and C. Fred Bergsten of the Brookings Institution. Bergsten, a leading expert on the economics of the so-called Third World, emphasized as he has on other occasions that the US is going to be increasingly reliant on the developing countries for raw materials and as a market for American exports, and therefore, he argued, cooperation with these lands is essential. The testimony was so convincing that both the subcommittee and its parent Committee on Banking and Currency voted unanimously in favor of the US subsidy. The administration breathed a sigh of relief in the expectation that the House would go along. But the vote, when it was taken on January 23, went 248 to 155 against the US contribution. Republicans opposed it by a margin of three to one, and 11 of the 39 congressmen who had backed the bill in committee turned against it. Shocked administration officials afterward tried to assess what went wrong.

In the first place, they conceded, they had failed to lobby effectively, partly out of complacency but largely because they had scant leverage. The President had impounded billions of dollars in appropriations passed by Congress for medical research, education, highway construction, pollution control and other programs; now, as one congressman put it, "he was trying to get us to give Asians and Africans what he has denied to Americans." The timing was also a blunder. It was the first piece of legislation presented to the House after the Christmas recess, and the congressmen, their ears

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still ringing with the gripes of their constituents, were in no temper to finance foreigners. This isolationist bias was further exacerbated, according to a senior House staffer, by a pervasive hostility to Mr. Nixon himself. "I doubt that he could have swung the vote even if he had come up here in person," he said. "This administration just has no credibility."

Legislative maneuvering usually goes on in the corridors of Congress, but in this instance the fate of the bill was decided during a debate described as "more chemical than rational." Republican Rep. Tim Lee Carter of Kentucky blasted the request on the grounds that most of the African recipients opposed Israel, and besides, he added, "Shouldn't we take care of our poor people first?" John Dent of Pennsylvania, a Democrat who had backed the US contribution in years past, proclaimed a change of heart. Factories are closing down all over his district because of high interest rates, he complained: "Giving this aid to these countries without some kind of string attached puts us in the position of being suckers." John Flynt, a Georgia Democrat, objected to the bill as one of "those things which would be nice to have if we had the money to pay for them." One of the strongest arguments against the act came from Ohio Democrat Wayne Hays. Basing his statement on a World Bank study, he asserted that the increased subsidy would really go to the Arabs in the form of inflated oil prices, and he appealed to the average congressman's instinctive concern for reelection:

> Now some of the members can go home if they want to . . . and tell their constituents they voted for this $1.5 billion and at the same time tell them this money goes to these same countries that caused the price of gasoline to go up to 50 cents a gallon, the price of fuel oil to go up 100 percent. The Republicans can just keep voting like that and talking like that . . . and we Democrats probably will take more seats in the House than any party since this Republic was founded.

A key element in the debate, however, was the intervention of the influential Texas Democrat George Mahon, chairman of the House Appropriations Committee. He had never supported past US contributions to the International Development Association, but at least he had never raised his voice against them on the floor. Now he spoke out in opposition:

> I am not going to vote to increase our commitments at a time when we cannot take care of folks at home, when the dollar has been under heavy pressure, when the national debt has increased by about one-fifth in the last four years, and when we are going into debt this year another $15 billion.

Dismayed by the stunning defeat that followed, Shultz and Secretary Kissinger promptly put out a joint declaration assailing the House action as "a major setback to our efforts of cooperation and to the ability of the US to provide leadership in a world where there is an increasingly serious tendency for nations to believe that their best interest lies in going it alone." That admonition did nothing to alter the attitude of senior congressmen. Meeting with Wayne Hays and House Foreign Affairs Committee chairman Thomas Morgan not long after the vote, Kissinger reportedly voiced his unhappiness and warned that rejection of the multilateral aid contribution would complicate the conference of European oil-consuming countries to be held in Washington next week. The two congressmen firmly replied to the effect that they favored toughness toward the Europeans, who, they said, "make oil deals behind our back." Meanwhile Washington has been seething with recrimination. World Bank officials, McNamara among them, privately blame the administration for not lobbying effectively. Congressmen are snarling at McNamara for abandoning the apolitical posture he is supposed to take as an international civil servant. And members of the administration are expressing displeasure with what they call congressional caprice.

Failure by the White House to get the bill passed would spell the end of the International Development Association. At this stage the 24 other donors to the World Bank group are refraining from any comment which, they fear, might prejudice a renewed administration effort. But it is not entirely clear what steps the administration intends to take—or whether the steps it does take will reverse the result. One strategy being considered is to persuade Senator Fulbright, who is receptive to Kissinger's entreaties, to guide the proposal through his Foreign Relations Committee so that it can be returned to the House. This approach faces two principal uncertainties. First, it is not at all sure that Fulbright, who has been fighting foreign aid as a "Cold War relic," will accommodate the administration. And if he does, there is no guarantee that a compromise bill will offer the World Bank the full $1.5 billion pledged by the US at Nairobi. Specialists familiar with congressional thinking submit that the most that the White House can hope to obtain is $960 million, the sum authorized by the legislature in 1972. Such a sum would mean a complete renegotiation of the International Development Association's subscription schedule.

The episode is viewed by administration operatives on Capitol Hill as an indication that the executive arm is going to have hard days ahead as it seeks to convince congressmen that the US still has responsibilities abroad. Perhaps a more significant lesson to be drawn from the House's indiscriminate behavior is that Congress has a long way to go before it can presume to wear the mantle of responsible leadership.

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Stanley Kauffmann on films

The Exorcist

(Warner Bros.)

Partner

(New Yorker)

I dragged my feet about going to *The Exorcist* because of the gimmicky subject, and the adverse reviews I saw made me purr at my prevision. But this film about the diabolic possession of a 12-year-old girl has become such a huge hit that I thought I ought to grit what's left of my teeth and investigate. I'm glad I did. In this case, anyway, *vox populi vox diaboli.*

This is the most scary picture I've seen in years—the *only* scary picture I've seen in years. (Though I admit I don't see many "horror" films. Too unhorrible.) I haven't been more scared by a film since Mary Philbin snatched the mask off Lon Chaney's face in *The Phantom of the Opera* in 1925. The reference to childhood is particularly apt because the point of *The Exorcist* is to cut through everything we've learned and cultivated, to get down to the talent for fright that we are virtually born with. I haven't felt so much like Robert Warshow's "man watching a movie," his *homme moyen,* since the same director, William Friedkin, did it the last time with his (quite different) *French Connection.*

Friedkin seems to have found his forte. He started serious (*The Birthday Party, The Boys in the Band*), but there he seemed strained, and obtrusive—like a tumbler in a ballet. Evidently what he needed was material where nothing mattered but the effects. *The French Connection* showed he had real gifts for gut punching; *The Exorcist* shows his gifts for chilling the spine. This new picture starts slowly: there's a lot of background material to be laid out and some of it is lingered on excessively; but when Friedkin centers on his main material—the possessed child in modern Washington, DC—he handles it with very exceptional skill. The cutting, the lighting, the sound track and, above all, the special effects have been ordered up carefully by the director and used precisely. Even the music is faultless—most of it by Krzysztof Penderecki, who at last is where he belongs. During most horror pictures that I see, I keep watching how it's done and waiting for it to be over. Here the directorial hand is quicker than the eye; and ear. Here I got frights and the pleasure of unmediated visceral response. Disbelief was canted, if not suspended, so that I could watch the story play out. And virtually all of this was Friedkin's doing.

William Peter Blatty wrote the screenplay, from his own best-seller, and produced the film. I haven't read the book and certainly won't now—I've *had* these jolts—but in the film script, anyway, there are some matters left unfinished. A prophecy that the possessed child makes about an astronaut: does it come true? What about the Washington detective (Lee J. Cobb)? Did he just quit investigating the case? The specific occasion for the satanic invasion is only vaguely hinted at, and then only at the end. It has something to do with a small silver religious medal that an archaeologist-priest dug up in Iraq; but how it got to this Georgetown house is never told us. If I'm putting this together right, then a point of irony was muffed: because one of the exorcising priests is himself the archaeologist who dug up that medal.

The theme of possession is an old reliable: it's the basis of a chief work in the Yiddish theater, Anski's *The Dybbuk.* The idea of the doom-haunted object has worked for dozens of minor writers, including Lord Dunsany and W. W. Jacobs. Blatty has blended the two elements in this story of a film actress (Ellen Burstyn) and her 12-year-old daughter (Linda Blair) living in a rented Georgetown house during the shooting of a picture in Washington. First, the house itself begins to act strangely—inexplicable noises, a shaking bed. Then the child begins to act strangely. Conventional medical procedures are explored; no help. Doctors themselves suggest exorcism. A psychiatrist priest is called (Jason Miller, the actor who is also the author of *That Championship Season*), and eventually an older priest who knows exorcism well (Max von Sydow). One reason I could go along with all this is that I know such things happen: a few years ago a rabbi told me he had recently been called on to perform an exorcism. Anyway, the ending of *this* exorcism is meant to provide a touch of Christian martyrdom, but this really doesn't carry much weight. The ending is a way out of the plot, that's all, and the plot is all that matters in this supernatural melodrama.

The moralistic critics—who invariably object when they happen not to like a current *instance* of horror or violence, although they may have been caroling the week before about Clint Eastwood or Hitchcock—bemoan the fact that a child is called upon to mouth some obscenities, pretty foul ones, and to perform an obscene-profane action (shoving a crucifix up herself). I don't see how the child's satanic possession could have been shown by having her exclaim "Darn!" and by breaking Mom's favorite vase. And in a world where 5-year-olds in TV commercials parrot stuff about detergents and cereals, with no point at all except selling goods, I'm not upset at Linda Blair's taking part in what she knew was a fiction. As for the horrors, the only time I had to avert my eyes was not for a demonic scene but for a "straight" scene in a hospital where doctors inserted long needles in the girl's neck in preparation for x-rays.

The Exorcist makes no sense. For instance why couldn't the devil have done earlier what he does right at the end? It makes no more sense than a musical, has no more ambition toward sense than a musical. In both cases we accept the non-sense for the sake of entertainment. The theater where I saw *The Exorcist* was crowded with people being entertained by horror; they giggled after most of the possession scenes (*after,* not during), a sure sign that they had been shaken and had to right themselves. If you want to be shaken—and I found

(continued on page 33)

Films Worth Seeing

American Graffiti. Cinematic insight transforms banal material—small-town adolescents in the '60s—into a pleasant memorial.

Bang the Drum Slowly. Nicely directed story of two big-league ball players. More for sentiment fans than sports fans.

A King in New York. Chaplin's last appearance (1957), never shown here before. Faulty but essential.

The New Land. If you have/have not seen *The Emigrants,* don't miss the second half of this Swedish-American epic. Truly large. SK

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So in Love with Harry . . .

Beyond the New Deal: Harry S. Truman and American Liberalism by Alonzo L. Hamby

(Columbia University Press; $12.95)

Plain Speaking: An Oral Biography of Harry S. Truman by Merle Miller

(Putnam; $8.95)

It may well be that, with the exception of a Roosevelt or two, the only good President is a dead President—or at least a President put out to pasture. For this sad fact two things are primarily responsible: contemporary myopia and an ensuing nostalgia. Alonzo Hamby's study carefully explores the former condition, while Merle Miller's book gorgeously represents the latter. As for Harry himself, his pronunciamentos as recorded for posterity by Miller make it abundantly clear why the liberals of whom Hamby writes appreciate him more as a historical figure than as a ruddy presence in the White House.

Beyond the New Deal is an example of academic letters at their best. It is well organized, well argued and very well written, a welcome volume at a time when history is written increasingly by self-important "social scientists" of mediocre talents rather than by the kind of polished and civilized men who formerly dominated the profession. Hamby's main contention is that during the years immediately following the conclusion of World War II, American liberalism was faced with the task of redefining its fundamental assumptions and thus also its role in American politics; and that, in coming to terms with itself, pursued a course that was closely paralleled from 1945 to 1948 by the career of the increasingly less hapless Harry Truman, whom the death of Franklin Roosevelt put into a job for which many Americans felt him to be gravely unprepared. Liberals especially suspected that the accession of this haberdasher was a tragedy second only to the death of FDR. It was not until Truman's dramatic victory at the polls in 1948 that the liberal community, with new-found respect for the President, acknowledged the necessity of cooperating with the man who shared, however imperfectly, their vision of the postwar world. The result of the ensuing rapprochement, Hamby believes, was that by 1952 American liberals could claim to have come a long way since 1945. Having relinquished the outworn tactics of Popular Frontism, they had succeeded in making respectable the belief in a liberalism unencumbered by utopianism and had, through their discovery of the "vital center," established themselves as "an important, if not triumphant, force in American politics."

This pilgrim's progress was, however, an arduous one for Truman as well as for his liberal critics. With the passing of Roosevelt the liberals lost the man who, as Hamby says, *was* liberalism; worse, the new President seemed to them to be no more than a drab little party hack, a man soiled by his association with one of the most dismal political machines in American politics, devoid of historical vision and a rube to boot. As if getting used to Harry were not difficult enough, liberals found themselves compelled at the same time to come to terms with the realization that the Soviet Union and its sympathizers were no longer allies in the fight against fascism but, increasingly, agents of yet another totalitarianism and hence potential enemies.

The result of this disillusionment was a split in the liberal movement between those who were willing to continue to work with the Communists at home and abroad and those who believed that communism was too illiberal a doctrine for its adherents to have anything to contribute to American politics. A major schism occurred in December of 1946 with the formation of the Progressive Citizens of America whose patron saint was former Vice President and Secretary of Commerce Henry Wallace. A fervent One Worlder and friend of the Soviet Union, he had been fired from the Cabinet the previous September by Truman. The more conservative members of the liberal establishment retaliated in the spring of 1947 by expanding the Union for Democratic Action to produce the Americans for Democratic Action, an organization adamantly opposed from the start to working with Communists and fellow-travelers.

After leaving the Truman administration, Wallace's reputation as defender of the faith was seriously weakened by the congressional elections of 1946 that gave the Republicans a majority in the Congress for the first time since 1930. Liberals of the ADA stripe blamed the disaster on the irresponsibilities of the Wallaceites, which they believed were preventing the liberal movement from achieving the stature of an effective political force. Yet even moderate liberals frequently found their sympathies for the Truman administration to be sorely strained by the President's increasingly tough attitude toward the Russians abroad and the railroad strikers—whom in 1947 Truman threatened to draft—at home. Nevertheless Truman's victory in 1948 over Thomas E. Dewey, compounded by the Marshall Plan and by the administration's civil rights activities, led the centrist liberals pretty much to ally their fortunes with those of the Fair Deal.

Wallace's ignominious defeat as the Progressive Party's presidential candidate for '48 thoroughly discredited both himself and his followers. Although American liberals never gave their hearts unabashedly to Harry while he was President, and despite their mounting frustration as the Fair Deal became increasingly bogged down in the congressional wallow and then sucked under entirely with the advent of the war in Korea, they were sufficiently in agreement with the President to support him on his decision to intervene in that war, and to support him also on his handling of Joe McCarthy which was, to put it politely, circumspect rather than valiant. "For all its futility," then, "the Fair Deal was the expression of the vital center. . . ."

For the plain fact is that the differences between Harry Truman and the liberals were, as Hamby points out, differences of style rather than of political principle. "Twentieth-century liberalism required a president with the charisma to dramatize and virtually embody the cause of

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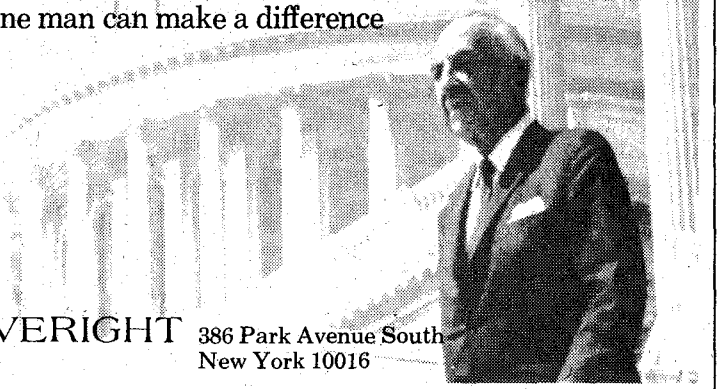

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reform, a political leader who could mobilize a progressive coalition with the sheer force of his personality." That requirement, of course, Roosevelt had satisfied to perfection.

Roosevelt's was probably an impossible act to follow, particularly when the next man on was Harry Truman, a farm boy from Missouri. Much of the liberals' distaste for Roosevelt's successor was rooted in a sense of social superiority that is by no means alien to the American liberal tradition. Merle Miller, a smalltown Iowa boy, admits that he "had never quite forgiven Truman for not being Franklin Roosevelt, for being plain instead of patrician. . . . There were a lot of things about Harry Truman that reminded me about other things that I wanted to forget. My childhood, just to start out." Miller's hero, back in the '40s, was the squire of Hyde Park: Truman "looked and acted and talked like—well, like a failed haberdasher." Since that time, needless to say, Miller's opinion of Truman has become enormously more elevated, to the point where he now suggests that the country needs a horse's dose of precisely that cornball mentality that Truman represented and from which he, Miller, ran away as a boy.

There were other grounds for distaste. Liberals in general are people for whom ideas have a reality of their own, and they like to see those ideas handled with respect. Such exposition as the liberals yearned for, Truman, with his blunt, earthy manner and his want of a formal higher education, was unable to provide. The result was that his critics found it easy to assume that he was intellectually ill-equipped to be the Chief Executive, or even to perceive what his duties actually were. "Americans," observes Hamby, "regularly expect miracles of their presidents"; and when Truman, after several months in office, failed to produce miracles, impatient liberals were quick to conclude that what was at fault was the President's dreadful speeches, or his addiction to courthouse cronyism, or his lack of intellectual breadth, or the ragweed on his pantscuffs.

The plain people caught on earlier. By 1949 Truman's popularity had blossomed to such a degree that Michael Straight described him in this journal as a man who "without eloquence or command of speech . . . lights fires among crowds who sense that Roosevelt was for them and that Truman is of them." But if that was in fact the nature

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of Truman's appeal to the country at large, it was precisely that folksiness that made sophisticated observers, who generally prefer their elected representatives to be *for* the people rather than *of* them, uncomfortable. To such people the common touch was, until they became familiar with it, no touch at all. Style was of the utmost to earnest liberals who yearned for a statesman who could make politics sound like a moral and intellectual challenge, but Truman was not that statesman. As he loosened up in the office, however, he did manage to project a sense of his unique personality, as in his whistle-stop tours during the campaign of 1948, and this personality his critics grudgingly came to appreciate. Of course what style this imparted to his conduct as President was not Rooseveltian – not even that of the handsome Harding – but it was there, and honest. It could amuse the intelligentsia if it could not thrill them, but it never satisfied those who had not forgotten the panache of FDR and the excitement of the Hundred Days.

Hamby implicitly takes issue with Richard Hofstadter's opinion that the architects of the New Deal represented a type of reformer that was new to American history. "The New Deal," he is convinced, "was based upon the liberalism of the progressive era, and added little intellectual content to it"; the New Dealers were, after all, "not so far removed from the late nineteenth-century mugwumps" in their "adolescent" belief that " 'the people'. . . would heed rational persuasive arguments"; that "given the right leadership, the people could become disinterested arbiters of the public interest." When "the people" showed no sign of turning themselves into philosopher-citizens under the Truman regime, liberals at once assumed that it was because Truman had not been appointing "the best people" to government positions, because he himself was not a "best person" and because he therefore lacked the ability to manage the mediocrities he had misappointed. But Truman's own candidate for the inspiration of modern American liberalism was not Teddy Roosevelt but William Jennings Bryan: Harry had all of the common man's suspicion of the upper-class do-gooder. "People," he told Miller, "have to keep their eyes and ears open at all times or they'll be robbed blind by the Mugwumps and the big-business interests." "There should be a real liberal party in this country," he insisted, "and I don't mean a crackpot professional one." Of Wallace he remarked, "You take a fella that carries on about the pee-pul – it's like what I told you about folks that pray too loud. You better get home and lock the smokehouse. . . ."

Truman, by all accounts, was an enormously well-read man whose respect for learning was tempered by a healthy mistrust of the life of the mind. Said a district court judge and veteran of Captain Harry's Battery D: "His favorite word was 'bunk,' and I guess it still is." Truman did not read books to be discovered reading one: "The main reason you read a book," he said, "is to get a better insight into the people you're talking to." He was a professional politician who disliked "intellectual" or "nonpolitical" liberals. Most of the people around Roosevelt, he once told Clark Clifford, had been "crack-pots and the lunatic fringe"; he, at least, was going to keep his feet on the ground. An "expert" was to Truman only "a fella who was afraid to learn anything new because then he wouldn't be an *expert* anymore"; Wallace was one of those "long-winded birds. . . . the less they have to say, the longer it takes them to say it." Stevenson was "a man who could never make up his mind whether he had to go to the bathroom or not"; "the real trouble with Stevenson is that he's no better than a regular sissy." In the last analysis human accomplishment is founded not on learning but on common sense: "If you haven't got it, the best thing to do is not to get out of bed in the morning."

Plain Speaking, a series of interviews stitched together with appropriately Missourian introductions, explanations and extrapolations by Merle Miller, is a pungent portrait of Truman that is marred only by the constant intrusion of Miller, who seems at times to be attempting to "do" Harry as Hal Holbrook "did" Mark Twain. In his running comments Miller annoyingly adopts Truman's mannerisms, opinions and delusions, and so gets at times hopelessly under the feet of his better. He remarks on one occasion that Truman was "the most elemental man" he ever met, with the possible exception of his own grandfather. In this book he seems to have rediscovered his grandfather, and with him the virtues of Gopher Prairie, Minnesota and Marshall City, Iowa. Many of them are real enough, even if they weren't fashionable in sophisticated circles when Truman was President.

About Richard Haynes' tome on Truman as Commander-in-Chief (*The Awesome*

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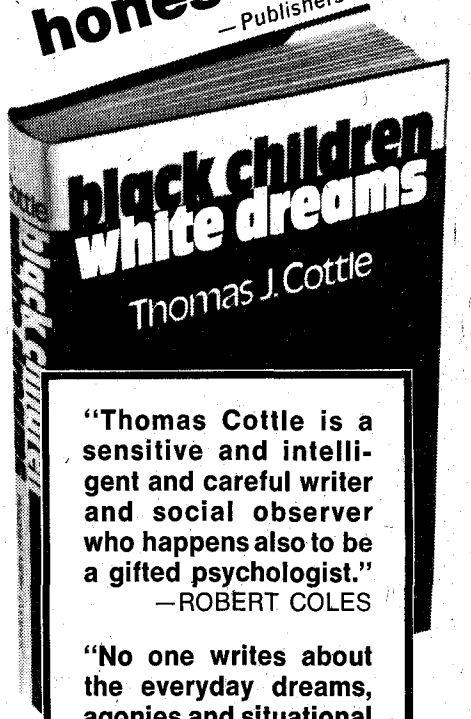

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Power, Louisiana State University Press; $12.95) I shall say little. With the solemnity of a think-tank goldfish he meticulously chronicles Harry's martial doings as President, from dropping the bomb to waging the Berlin airlift to putting over the National Security Act to going into Korea. Little illuminates, and nearly everything bores. Unluckily not all historians are as adept as Hamby at thinking and writing, but instead excel in looking up facts.

Chilton Williamson, Jr.

Practitioner of Ghastliness

Child of God
by Cormac McCarthy

(Random House; $5.95)

What is the novel? That which is *new*, being the first of its kind. And fiction? The thing *made*. Why do we read? To avoid the present, to become part of the past, to forget the onerous self, to plunge into reality from the unreality of our present existence, to comprehend the state of things other than what one knows. Whenever a theory of esthetics enters into the discussion of a novel it tends to distract somewhat from the point, that the *experience* of the book is the real thing, that there are varieties of such experience, and that some of them, a few of them, are so intense, so, well, *religious*, as to elude description by the critic attempting to communicate what he has felt. Henry James wrote: "Nothing, of course, will ever take the place of the good old fashion of 'liking' a work of art or not liking it: the most improved criticism will not abolish that primitive, that ultimate test."

This is the long way into *Child of God*, a reading experience so impressive, so "new," so clearly made well that it seems almost to defy the easy esthetic categories and at the same time to cause me to thrash about for some help with the necessary description of my enthusiasm. Cormac McCarthy is a Southerner, a born storyteller (to judge from this, the only one of his three novels I have read), a writer of natural, impeccable dialogue, a literary child of Faulkner. His third novel resembles, in a small way, *As I Lay Dying*, but in other ways, it is related to very few things you may have read before. To transliterate the experience of it is to do it the injustice Wordsworth spoke of: "murder to dissect," but because every critic is by nature apostolic, I must try.

The single whole character, Lester Ballard, is a small man, ill-shaven, seldom parted from his rifle which he uses unerringly on rats, humans, animals. On occasion the reader sees him carrying his mattress and his stuffed bears and tiger from hut to cave. Sometimes the mattress is water-logged from a flood that overtakes him; sometimes he is carrying women's clothing that he snatched off a sleeping, drunken woman (whom he does not rape). Or he is wearing clothes taken from the bodies of young women he has murdered, had intercourse with, again and again and again, afterward.

We feel *privileged*, oddly enough, to watch him, in a series of short takes, as he moves toward his crazed, inevitable death, having recommitted himself to the county hospital with the words: "I'm supposed to be here," after a vision of himself as a boy on a bus. His violent, ghoulish, wounded being (he is called by his creator an "antiseptic felon," a "practitioner of ghastliness") is finally brought to earth. He dies, having evaded the law, as he evaded the natural law, in the state hospital for the insane. He becomes, in death, a paradigm of his victims, the subject for experimentation and learning:

> *His body was shipped to the state medical hospital at Memphis. There in a basement room he was preserved with formalin and wheeled forth to take his place with other deceased persons newly arrived. He was laid out on a slab and flayed, eviscerated, dissected. His head was sawed open and the brains removed. His muscles were stripped from his bones. His heart was taken out. His entrails were hauled forth and delineated and the four young students who bent over him like those haruspices of old perhaps saw monsters worse to come in their configurations. At the end of three months when the class was closed Ballard was scraped from the table into a plastic bag and taken with others of his kind to a cemetery outside the city and there interred. A minister from the school read a simple service.*

In the same cruel month of April the bodies of Ballard's victims are discovered, "arranged on stone ledges in attitudes of repose." The view of repose for the reader is short-lived for

> *The bodies were covered with adipocere, a pale gray cheesy mold common to corpses in damp places, and scallops of light fungus grew along them as they do on logs rotting in the forest. The chamber was filled with a sour smell, a faint reek of ammonia. The sheriff and the deputy made a noose from a rope and they slipped it around the upper body of the first corpse and drew it tight. They pulled her from the slab and dragged her across the stone floor of the vault and down a corridor to where daylight fell against the wall of the sink. In this leaning bole of light, standing there among the shifting motes, they called for a rope. When it descended they made it fast to the rope about the corpse and called aloft again. The rope drew taut and the first of the dead sat upon the cave floor, the hands that hauled the rope above sorting the shadows like puppeteers. Gray soapy clots of matter fell from the cadaver's chin. She ascended dangling. She sloughed in the weem of the noose. A gray rheum dripped.*

Have I overpraised, overquoted this achievement of vividness, this fascination of the author (and the reader) with the gruesome details of death and decay? If so, it is because the lack of contrast between the rotting victims and the details of Ballard, child of God's life is the *subject* of this extraordinary quest-novel. In less than 200 pages, the journey from death-in-life to death-in-death, from the hunted to the discovery of the hunting, from the unnatural to

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the natural and even supernatural, from fury against life to fury against the living, is accomplished in rare, spare, precise yet poetic prose. It is played out, always, or resolved might be better, in the presence of sometimes cruel, sometimes beneficent Nature, in what Faulkner called "the travail of man within his environment":

In the evening a jeep descended the log road towing a trailer in the bed of which lay seven bodies bound in muslin like enormous hams. As they went down the valley in the new fell dark basking nighthawks rose from the dust in the road before them with wild wings and eyes red as jewels in the headlights.

Again like a child of Faulkner, McCarthy is capable of black, reasonable comedy at the heart of his tragedy. There is a scene in which Ballard brings an idiot child a half-frozen bird as plaything. The child, "a gross tottertoy," starts to eat the bird and chews off its legs before the bloody fur is seen around his mouth. "He wanted it to where it couldn't run off," says Ballard, drawing his terrible, rational conclusion to the sadism, which then reaches its apotheosis when he murders the child's sister and burns down the house with the gross tottertoy still in it: "it sat watching him, berryeyed filthy and frightless among the painted flames."

In McCarthy's eyes there is a holy alliance between the madness of Ballard and the wet, cold confusion of his surroundings, the "disorder in the woods, trees down, new paths needed. Given charge Ballard would have made things more orderly in the woods and in men's souls." The natural world and the world of violence and madness are united in Ballard. In the woods "where mice had gone, or foxes hunting in the night. The dovelike imprimatur of a stooping owl," Ballard wanders; "he'd long been wearing the underclothes of his female victims but now he took to appearing in their outerwear as well. A gothic doll in illfit clothes, its carmine mouth floating detached and bright in the white landscape. Down there the valley with a few ruststained roofs and faintest wisps of smoke. The ribboned slash of mud that the road made up the white valley and beyond it the fold of mountains with their black weirs of winter tree limbs and dull green cedars."

About Lester Ballard there is no prehistory, we know almost nothing we have not been able to watch, like voy-

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eurs perched somewhere above him in his Tennessee hills. We never come close to understanding him or the cutting, touching, harsh beauty of his landscape: both are equally immune to our comprehension. Theodore Roethke wrote in his notebooks: "It is well to keep in touch with chaos," and in another place; "every sentence [is] a cast into the dark." Cormac McCarthy has allowed us direct communion with his special kind of chaos; every sentence he writes illuminates, if only for a moment, the great dark of madness and violence and inevitable death that surrounds us all.

Doris Grumbach

American Visionary

Whistler
by Stanley Weintraub

(Weybright & Talley; $12.50)

The give-and-take between native-born American artists and the civilization of Europe is one of the fascinating features of our cultural history. Transatlantic contacts that began with Pocahontas and Benjamin West continue to this day, and whether the initial reverse hemispheric exchange has been made via a wind-driven packet, as in Jefferson's day, a Henry James steamer, a Fitzgerald liner, a Fulbright scholar's tourist-class cabin on the *Andrea Doria*, or the slave ship confines of a 747 jumbo jet, that conjunction has been both traumatic and fruitful. American creative pilgrims of the 19th century, conditioned by their geographic remoteness and provincial isolation, brought to their voyage of rediscovery a unique mixture of innocence, curiosity, humility, young-country confidence and book-learned familiarity. Most of them took what they could from the experience, which no doubt changed them for life, and eventually returned to continue their careers on native grounds. However a few talented dropouts like James, Cassatt and Whistler settled in Europe for good and as expatriate outsiders made their way on the great stage of European cultural life. How these colonials from the wilds of the New World reacted to that milieu, how their American roots sustained or hampered them, and how they managed to move into the thick of advanced contemporary continental creative activity are all questions particular to the circumstance. Of this expatriate contingent, James McNeill Whistler was one of the most gifted, cantankerous, influential and consistently American.

Two biographies of Whistler are recently published. Roy McMullen's *Victorian Outsider* (Dutton; $10) is a cool, concise, somewhat preachy book, which covers adequately the salient features of Whistler's life but uses the hindsights of art history to pass judgment on his professional choices, such as his decision to leave the "main stream of modernism" in France and settle in England, as though the artist should have anticipated and acted upon the conventional alignments later established by art historians. Stanley Weintraub's book, on the other hand, is a thorough and impartial account, rich in original source material, letters, writings and reported quotations of the artist and his contemporaries that provide valuable insights and fresh revelations of Whistler's epoch, his views of art, and the ups and downs of his vivid career.

Destined from the outset to an existence of movement and contrary forces, Whistler was born in Lowell, Massachusetts, offspring of a devoutly puritanical mother with Southern antecedents and a military engineer father who, as a prototype of the globe-ranging technologically proficient Yankee, was invited by Czar Nicholas I to supervise the building of the Moscow-St. Petersburg railroad. Young Whistler was transplanted to Russia at age four, where he lived in princely style, had a French tutor, took drawing lessons at the Imperial Academy, visited Paris, and studied in England before returning to America. Subsequently he lived on a farm near Pomfret, Connecticut, enrolled at West Point, was kicked out, had a brief irksome job making images for the Coast Survey Office in Washington, where he learned the technique of etching, cheerfully lost his job, and finally persuaded his family to send him to Paris to study art. He left this country in 1855 and never returned.

In Paris his head filled with Murger's visions of "la vie de Boheme," he engaged in an alternately lazy and intense study, had liaisons with several French girls, made friends with Fantin-Latour, Legros and duMaurier, discovered the prints of Hokusai, was a sometime disciple of Courbet, enjoyed the youthful pleasures of attacking the art establishment of the day and, by the time he was 24, had made a place for himself, along with Manet and Degas, as a significant member of the vanguard of the time. However, he left that company for the less competitive, comparatively provincial environment of London, which remained home base for the rest of his life, though he traveled considerably in Europe, sometimes settled in Venice or Paris, and once set forth on a quixotic semi-military adventure to Valparaiso.

In England he battled it out on his own unorthodox esthetic and personal terms, supported himself and his unstable menage of sequential red-haired model mistresses, illegitimate offspring, servants and later on a wife, by portrait commissions and the sale of etchings and pastels. He knew and frequently fought with most of the notable British creative lights of the time, including Swinburne (who later called Whistler "a little viper"), Oscar Wilde (with whom he gratuitously traded both private and publicity calculated insults) Burne-Jones, Sickert, the Rosettis, Carlyle and many others. When he displayed his most radical visionary work, "Nocturne in Black and Gold: the Falling Rocket" at the Grosvenor Gallery,

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John Ruskin wrote, "I have seen and heard much of Cockney impudence before now, but never expected to hear a coxcomb ask two hundred pounds for flinging a pot of paint in the public face." This historically wrong-headed pronouncement not only became one of the classic errors of conservative criticism (later to be used as justification in reverse for all manner of excesses), it provoked Whistler to sue the author for libel. The trial, with its potential danger of repressive censorship for both parties, was a Kafkaesque, comic-opera mix-up of legal maneuvers and subjective art criticism passing as testimony.

In his defense Whistler tossed off a number of witty sarcasms and made a few radical remarks: "I was making an arrangement of tones." "It was an arrangement of line, form, and color first." He wrote in a newspaper article: "Art should be independent of all clap-trap —should stand alone, and appeal to the artistic sense of eyes or ear, without confounding this with emotions entirely foreign to it, as devotion, pity, love, patriotism and the like. All these have no concern with it; and that is why I insist on calling my works 'arrangements' and 'harmonies.' " The jury was probably unaware of the import of these heresies and decided in Whistler's favor, awarded him one mere farthing for his pains—a sum scarcely adequate to cover his enormous legal expenses. Temporarily he lost face and commissions, went bankrupt, fought back and became the notorious gadfly (or butterfly) wit and tolerated eccentric for the philistine "islanders" of Victorian London. Late in life he achieved the international recognition he craved and deserved. For a time he was a cult figure for the French symbolists and influenced a number of painters, poets and musicians, including Debussy, Lautrec, Mallarmé and Proust. He died at 69, was buried in Chiswick Cemetery on an appropriately muted grey rainy day.

Throughout his life Whistler carried a particular psychic baggage of American puritanism, provincial cockiness, West Point illusions of gentlemanly military machismo, and a trumped-up vision of himself as a disinherited Southern cavalier, with the race prejudice against blacks and Jews that he assumed went with the role. But he was a creature of many roles and perverse contradictions. A small, wiry man, about the same size as Mozart, he had a similar capacity for high spirits and creative self-assurance. His foppish affection of dress bordered on the effeminate, but his bellicosity ("my nature needs enemies") was far from ladylike. He could be charming to both men and women, had a host of friends and followers, but banished them to outer darkness if they crossed him or threatened his ego. He made of himself an artistic creation, a quintessential 19th-century aristocratically independent master-painter, and he had the talent to support the role.

In one of those happy conjunctions of artist, time and place, Whistler connected with the most vital esthetic ideas of his day. Courbet's realism taught him to observe his immediate environment and led him to those images in nature that suited his special vision (though he later called Courbet's influence "disgusting"). The 19th century French preoccupation with the art of Japan made him aware of abstract problems of tonal balance, weights and arbitrary placement. The emancipated mark-making and free brushwork that he learned from his observation of paintings by Velásquez and Manet gave him range for his own highly energetic and personal gestures. And of course the liberating color discoveries of the impressionists were of use to him. Although he had periods of creative impotence, was prone to endless rubbing out, redoing and destroying, was frequently spoken of as an artist who had failed to realize his promise, Whistler did manage to produce a body of work that influenced the course of Western art. His "art for art's sake" posture, his defense of the nonreferential values of art, and the formal refinements of his work all paved the way for the flowering of abstract art. In the reductive simplicity of certain "Venetian" etchings, the rectangular frontality of his compositions, the emphasis on graduations of value, as in his "Arrangement in Black" (portrait of Frederick Weyland) it is easy to find the sources that ultimately led to the grisly black and grey works of Reinhardt and Rothko. But whereas those strivings for puritanic silence represent the abstract aspect of Whistler's work carried to the point of masochistic nihilism, what makes him fresh again today is his open response to the tones and moods of nature, his trained capacity to re-create visual experiences from memory, and the empathetic vitality of his drawing. Even though he frequently lamented that he had never learned to draw, and indeed his drawing is occasionally thin and flimsy, he did have a wonderfully spirited physical touch. And when that lively force is joined with his sensitivity to nuances and his adroit and audacious sense of order, his work takes on an exuberant authority that ranks him with the best painters of the 19th century.

While it was a pleasure to read Weintraub's book, its meager offering of illustrative evidence does not do justice to the artist's creative output. We now need what art historians loftily refer to as a "coffee table" edition of Whistler's work. He deserves a large, technically expert, comprehensive picture book with plenty of subtle reproductions of his etchings and lithographs, as well as accurate color reproductions of his pastels and oil paintings. As one of our best representatives on the international scene, his real accomplishments should now be made visible.

Kenneth Evett

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Drubbing Fools

Education and the Taming of Power by Sidney Hook

(Open Court; $8.95)

Sidney Hook's *Education and the Taming of Power* is a collection of essays spanning the years from the 1950s to the present. Some set forth Hook's thoughts on liberal and professional education and university reform; about two-thirds are studies in the educational thought of John Dewey, to whom Hook is indebted for his basic philosophical outlook, as well as for many of his ideas about education. This latter group of essays is in itself an interesting glimpse into recent intellectual history. In the 1950s Hook was defending Dewey against conservative thinkers who blamed him for most of what was wrong with American education (an unwarranted yet tenacious idea now very much alive and well and in the care and feeding of the various members of the Buckley family). In the 1960s and early 1970s we find Hook defending his Dewey from the threat of kidnapping at the hands of the intellectual guerrillas of the counterculture and what used to be called, centuries ago, the New Left. It says something about the rich ambiguity of Dewey's thought that everyone except conservatives claims him for his own.

Hook's position in all these polemics is consistent. He believes that there is no alternative in the modern world to the authority of what Dewey called the method of intelligence, the appeal to evidence, logic and reason. In education he urges that practice should reflect what is known about human learning, and that education should, in some very broad way, serve as an introduction to democratic values. He is in favor of a version of liberal education and academic standards, and he opposes child-centered and student-centered excesses, the demand for total participatory democracy in the academy, and the politicization of the university.

Hook is a social democrat, believing that democratic values are central, that means and ends in politics are intertwined, and that socialism has to be a means to a better democracy.

I agree with these general positions. At his best Hook illustrates some of the strengths of an old democratic Left. Readers who wish to sample these strengths in all their analytic vigor should read his essay on Ivan Illich, a devastating indictment of Illich's elitism, his utopianism (in the bad, not the good, sense of the word), and his profound ignorance of the schools' relationship to society. This essay, like other good pieces in this collection, is essentially an exercise in setting intellectual standards: Hook's stock in trade is administering polemical drubbings to fools and fanatics.

If this way of describing his enterprise makes him sound a trifle cranky and tiresome, then it points to certain inadequacies. A comparison with Hook's teacher, Dewey, is in order. As a cultural figure John Dewey was concerned with (at least) two kinds of tasks: setting intellectual standards and contributing to an ongoing critique of American life and its institutions. Both in his own work in philosophy and in his social thought Hook has specialized in issues of standards, on which he should be heeded. He is, for example, quite right when he speaks of recent confusions of the political and educational realms, or points to infringements of free speech on the campus, or makes fun of the intense inanity of many of the curriculum and course proposals during the silly seasons in the universities. What Hook seems to have abandoned, for all his socialist rhetoric, is the Deweyan commitment to reconstruct American society. The radical, critical core of Dewey's instrumentalism—philosophy's obligation to scrutinize existing ideas and institutions from the standpoint of human aspirations—is missing from these essays, and that is a pity. Without it Dewey's pluralism and his commitment to democracy can easily slide over into an apology for what exists, either in politics or in education.

Here and there Hook protests that he is not defending the educational or political status quo, but the protests are feeble, for that is in fact just what he is doing. He says, rightly, that it is one thing to point to the relative improvements in public education and the universities—contemporary radicals often forget the extent to which the basic agenda of discontent has been redefined, so that new demands on the educational system or the workplace are themselves a reflection of the fact that real gains have been made—and another to ignore the problems of a society "riven by profound social and racial inequalities." Yet Hook does ignore them, at least now. Like others of his time and experience, he is a man of the Left so deeply concerned over past and present excesses on the Left that his perspective is askew; his outlook has become shrill, defensive, apologetic.

It is one thing to criticize the quality of thinking of our social critics—whose thought certainly can use good criticism—but quite another thing to ignore the problems they are pointing to. Hook is a reactionary in a strict and perhaps apolitical sense of the word, in that his position is largely built out of his negative reactions to other people's positions. Dewey's idealism and generosity has curdled into Hook's crabbiness. There are valid portions of the heritage here—on intellectual standards and other questions Hook knows his master too well not to be a knowledgeable guide—but there is also a narrowing of the legacy that is a loss both for Hook and for the rest of us.

Joseph Featherstone

Court Injustice

Disorder in the Court by Norman Dorsen and Leon Friedman

(Pantheon; $15)

In this age of Watergate, it may be difficult to remember those days in 1969-70 when television news and newspaper headlines trumpeted daily the antics of the Chicago Seven and their counsel in Judge Julius Hoffman's court. In some circles this behavior aroused great concern. Supreme Court Chief Justice Warren Burger made speeches in national forums admonishing attorneys to mind their "p's" and "q's" in court. Many states enacted stringent measures to punish defendants and attorneys who disrupted court proceedings. And the New York City Bar Association—perhaps the most prestigious bar association in the country—commissioned a study of the problem. *Disorder in the Court* is the product of that study.

Dorsen and Friedman suggest that the

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incidence of courtroom disorder has been greatly exaggerated. From a survey of 1602 trial judges in California and New York City, for example, "107 reported that they had experienced a total of 112 cases of trial disruption in their entire lives on the bench" (a figure that is miniscule when compared with the *millions* of cases over which these judges had presided). Sifting through volumes of judicial decisions between 1960 and 1972, Dorsen and Friedman found only 17 reported cases of disorder by attorneys.

Although the statistics suggest that disorder in the court is not a major problem, this book is well worth reading for anyone—and especially those in the legal profession—concerned about injustice in the court. For the authors explain with abundant documentation how courtroom disorders often reflect extraneous forces—political, social and racial—which have tainted the judicial processes from the beginning of our republic. Indeed, after reading this book I was more impressed with the *restraint* of oppressed defendants than with the need to restrain disorder.

Consider, for instance, the case of Susan B. Anthony, who was convicted in 1873 of having voted in the 1872 presidential election—a conviction that inspired her to protest to the judge (after he asked her to sit down) that his ruling degraded her "from the status of a citizen to that of a subject; and not only myself individually, but all of by sex are, by your Honor's verdict, doomed to political subjection." Her "disorder" was rare among trials of women convicted of similar offenses; one can only speculate why more persons did not feel moved to disrupt prosecutions of these discriminatory laws.

The same question is no less applicable to minorities in more recent times. Dorsen and Friedman cite numerous statistics and studies to show that blacks accused of a crime today are more likely to be denied bail, more likely to be convicted, more likely to be given a harsh sentence, and less likely to be placed on probation. Dorsen and Friedman articulate the compelling conclusion: "wherever discretion exists in the legal system, it is likely to be exercised against blacks." And yet the incidence of courtroom disorder by black defendants over the years has been insignificant.

Dorsen and Friedman found that most courtroom disorders have occurred in trials with political overtones (at least when the political considerations are weighted *against* the defendant—a fact that may help explain why there were no disorders at the trial of former Vice President Agnew). They devote a major portion of their book to such trials and, in particular, to four recent political trials that attracted national publicity: the Nazi sedition trial of 1944, the Communist Smith Act trial of 1949, the Chicago Seven trial, and the New York City Black Panther trial of 1970-71. From this examination four important conclusions are offered.

First, the prosecutor's broad discretion is sometimes abused to serve political ends; Dorsen and Friedman readily acknowledge that "whether we like it or not politics and law are not strangers." Second, courtroom disorder rarely serves the interest of the defendant or his political cause—in fact, such disorder is likely to be counterproductive. Third, while courtroom disorder in some instances is understandable, it should not be condoned under any circumstance. Fourth, measures presently used to curb or punish courtroom disorder often do more to subvert justice than do the disorders at which those measures are directed; as Burke Marshall, deputy dean of Yale Law School, states in the book's preface, the judicial system "is more in danger from interference with counsel fighting for justice for their clients than from whatever disruption—and it is not on the whole very great—is caused by their efforts."

Dorsen and Friedman recognize that the abuses exposed by courtroom disorder require corrective changes in the law (and refinements in the legal code of behavior which, according to one lawyer, is now "as much use to a practicing attorney in the courtroom as a valentine card would be to a heart surgeon in the operating room"). To this end, they discuss in detail various remedies which, in their view, would strengthen respect for and public confidence in the judicial system.

The problem with their proposed remedies is that they generally fail to account for the political factors which underlie many criminal prosecutions. How can changes in the law alone inspire respect from a defendant who rightly believes that his prosecution does not reflect an impartial enforcement of the laws but a political judgment which cannot be debated in the courtroom? Likewise, how can changes in the law alone restore the public's confidence in the courts when the President can appear on radio and television (as Nixon has) to denounce "permissive" judges as the root of growing crime or to criticize "liberal" judges who order busing to end racial segregation in public schools?

Another shortcoming of this book is its failure to demonstrate that courtroom disorders are usually a disservice to the defendant's or attorney's political cause. There is no public survey or other study to show that courtroom disorders do undermine public sympathy with the disruptive party's political beliefs. I rather suspect, for instance, that the disorders at the Chicago Seven trial did more to publicize the bias of the judge and the flaws in the judicial system than to generate opposition to the seven's antiwar beliefs. And surely courtroom disorder cannot be considered entirely counterproductive when it has given us this penetrating book by Dorsen and Friedman about the abuses that have all too often infested our judicial system.

Lewis J. Paper

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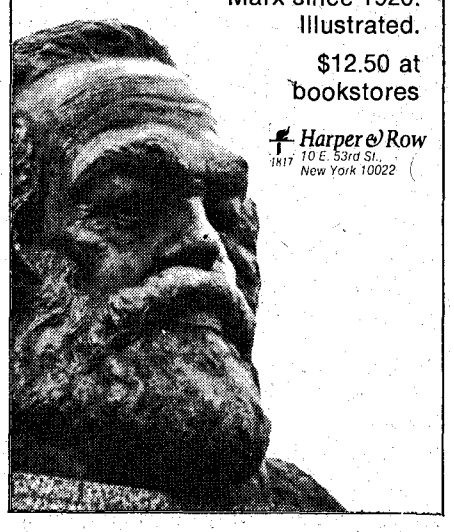

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Fine Print

Doris Grumbach

In the review of Cormac McCarthy's book this week, the notebooks of the distinguished American poet Theodore Roethke, who died in 1963, are quoted. This is perhaps the place to say that Anchor Books has just reprinted in paper ($3.95) the Doubleday 1971 edition of **Straw for the Fire: From the Notebooks of Theodore Roethke, 1943-1963,** edited by his student and friend, David Wagoner. Reading it today, 11 years after the last entry was made, is something like reading Kafka's notebook ("If God does not exist, neither do we," writes TR). The prose fragments that comprise about half the book make exhilarating reading, constitute as well illuminating comment on Roethke's poetic *raison* and method, his thoughts about teaching poetry, about religion, about literature, even about political figures. The intense intelligence of his perceptions stops the reader at every sentence. He writes, for example: "The literal—that grave of all the dull," and "You must believe: a poem is a holy thing—a good poem, that is" and (in 1958), "After Mr. Richard M. Nixon I feel that sincerity is no longer possible as a public attitude." Roethke is good with aphorisms, like Kafka, and occasionally sounds like de Rochefoucauld: "We are predestined by what we have done with our free will." To come full-circle back to the fragment that struck me first: "If we think long enough about God, we may create Him." It is good to have this collection available and close to hand.

A former Vietnamese diplomat now teaching and writing in this country communicated recently with this column concerning **the plight of South Vietnamese writers and journalists.** I am reprinting his letter with his enclosures:

On Christmas Day, I received a special delivery letter postmarked Kansas City and dated Saigon November 29, 1973. The letter reads:

You may not know many of us, you may not even agree with our political tendencies, but I am sure you agree that we writers must struggle and live as decent human beings. Some of us have read your "Vietnam Autumn" in *The New York Times* of October 5, 1973, and we are happy to know that you continue to explain our culture to Americans. This letter will be forwarded to you by an acquaintance who will visit the United States next month. The enclosed documents speak for themselves. Please read them carefully and make them known to the public.

Signed: a number of writers and journalists

Three documents were enclosed. First, a "statement by writers, journalists, publishers on the deep crisis affecting the present situation of the press and book publishing," signed by 200 writers, journalists, publishers who met last November at the Saigon office of Vietnam P.E.N. Club. It deplores the "very tight, arbitrary restrictions which forbid works being published," "the unreasonable, dictatorial censorship which creates grave discontent among writers." It announces the formation of a "Committee to Struggle for the Rights of Writing and Publishing."

The second document lists the names of the signatories. Some names were familiar to me even since my student days. Some are from a younger generation of writers whose best-selling novels I have read. Several are friends with whom I have not been in touch for the last 10 years. A majority of them, so far as I can ascertain from their works, are non-Communist romantics. Some are well-known anti-Communists and even rightwingers, but all of them are good writers. They think I may not agree with their political tendencies because very few of them have expressed them openly and because they were being told by Saigon authorities that I am a pacifist and a neutralist. Pacifism and neutralism are considered crimes by General Thieu. However, to put the record straight, in case the Saigon government censors read this, none of them has corresponded directly or indirectly with me in the past 10 years, the length of time I have lived and worked in this country.

The third document is a lengthy "assessment of the difficulties encountered by publishers and writers at the present time," presented by writer Nhat Tien on behalf of the Permanent Committee of Vietnam P.E.N. Club during the November meeting. One paragraph of this study reads: "A thief when caught can be defended by a lawyer in court. The judge who has spent a number of years in the legal profession is not allowed to give an arbitrary sentence. He can only pass judgment after he listens to the arguments of the thief's lawyer. Who gives the censor the right to arbitrarily judge a writer's work, decide its life and death without allowing its author to defend himself? We must come to the bitter conclusion that under the present system of censorship, a writer is not treated on the same level of justice as a thief."

The document lists numerous other restrictions such as Law 007 which compels a publisher to put in government's trust 20 million piasters for a daily paper and 10 million for a magazine.

I have been aware of the plight of Vietnamese writers, especially those who write about peace, but I have never realized that they are now being starved to death, intellectually and physically, by a government the very existence of which depends on US military, police and economic aid. Hundreds of thousands of words have been printed in this country to defend the rights of publishing of Soviet writers. Yet, newspapers, magazines and TV are strangely silent about the plight of their South Vietnamese colleagues.

I feel I must voice the despair of my Vietnamese colleagues when they are silenced. I would suggest that American writers and journalists send a delegation to Saigon to study the situation. Fifty thousand young Americans have given their lives for South Vietnam's "freedom," we have been told, and the American taxpayers (I am one of them) continue to finance a large part of the South Vietnamese budget.

Tran Van Dinh

While on the subject, anent Roethke, of notable paperbacks, it has been called to my attention that last year three books appeared from the same publisher (Harper), neglected in the customary rush of print and paper, all dealing with the public hysteria and political madness that constituted the famous Hiss Case and the investigations of the House Committee on Un-American Activities in the '40s and '50s. Together they constitute, for those interested in the history of US civil rights, a strong case

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against trial in public tribunal and allegation of guilt by association. The most complete work is Alger Hiss' own **In the Court of Public Opinion** (Colophon Books; $3.95). The villains of this work are, of course, the method by which he was tried, Whittaker Chambers, his accuser of treason, and one Richard Nixon, then a committee member, whom Chambers quoted as having said ("in his quietly savage way—he is the kindest of men—'if the American people understood the real character of Alger Hiss they would boil him in oil'"). In the preface to this reissue (1973) of his 1957 book, Hiss says he is confident of "full vindication" as a result of the end of the public hysteria of the late '40s and the change in American political attitudes since those days. Tried in the court of public opinion, he believes the same court will now acquit him.

Another, Dalton Trumbo's **The Time of the Toad: A Study of Inquisition in America** (Perennial; $1.50) contains three essays from 1949, 1956 and 1965, all angry (and why not?) but reasoned accounts of what actually happened to the members of the Hollywood film community called to appear before HUAC in 1947-8. The villains of this colorful *J'accuse*, written with all the passion and narrative skill one would expect of a fine Hollywood film-script writer, are Martin Dies, John Rankin, HUAC, Parnell Thomas, etc., and as well, the "non-Communist left" which attacked "the unwanted and unholy Ten." All three of these pieces have appeared elsewhere, but like all good company, it is enlightening to have them together in one place.

Eric Bentley's **Are You Now or Have You Ever Been** (Colophon; $2.95) covers the same facts with the same justifiable indignation, is a documentary that brings the hearings forward to 1958, and adds photographs of all the major witnesses. Carefully collated and well edited, the testimony Bentley includes led to the blacklisting that led to the destruction, in many cases, of Hollywood careers. "What this committee is trying to do is save the country," said Congressman John E. Rankin in 1948. What such public hearings actually did is the story of the three reprints.

Also lost in the shuffle of pre-Christmas publishing was Oren Root's **Persons and Persuasions** (Norton; $7.95). Both autobiography and anecdotal history, the book suffers from the extreme politeness of his reminiscences—everyone's wife, without exception, is "attractive" and/or "charming," every politician or public figure he has known is "brilliant" or "talented" or "distinguished." His reportage of events in which he was involved is so correct as to be rendered bland, but in four respects at least, the book has interest for the reader of US political and cultural history: Root's description of his key role in the Republican presidential nomination of Wendell Willkie in 1940, his account of the founding and subsequent history of the American Veterans Committee, his sensitive description of his own conversion to the Roman Catholic Church and his views on its "present turbulence," and his account of the lives of his parents. Episodic in structure, Root paints interesting if somewhat uncritical pictures of such diverse persons as Dorothy Day and Father Leonard Feeney, Howard Hughes and Thomas Dewey, John Lindsay, the Lindberghs, Nelson Rockefeller and Spyros Skouras, his father-in-law, whom he characterizes as an unusual, unique man of "true greatness," a "man of spirit." The vignette of Skouras *does* contain one welcome variant: *his* wife is described as "beautiful and faithful." It is to Root's credit as well that after all the unvarying superlatives he limits the only mention he makes of his own spouse to "my good wife."

The New Women's Survival Catalog (Berkley/Coward, McCann & Geoghegan; $5) is an offspring of *The Whole Earth Catalog*, with, of course, a difference. This one is entirely about women, for women, about everything from communications (books, films, theater, on the subject of or by women), art, self-health (a large subject now that women have been made aware of how male and therefore, presumably sexist, is the medical profession) children (mainly day care centers, etc.) self-defense, work and money, getting justice (discrimination, legal sources, women's rights, divorce), building the movement. The back cover proclaims in large letters, that the catalog also contains material on marriage, but a search (there is unfortunately no index to help with this) of the 225 pages reveals very little that is positive on that subject. Overlooking the omissions on the theory that the compilers must have felt there was quite enough advice on the market on marriage already, it is a valuable resource book for all the subjects it lists, complete with addresses for almost everything an interested reader might want to visit, write for, know about.

Kauffmann, *from page 22*

out, while the picture was going on, that that's what I wanted—then *The Exorcist* will scare the hell out of you.

Bernardo Bertolucci, who subsequently made *Last Tango in Paris*, made *Partner* in 1968. It's just released here. The script is by Bertolucci and Gianni Amico, derived from Dostoevsky's *The Double*. The "twin" leading roles are played by Pierre Clementi: a drama teacher in Rome and his double, a violent revolutionary. The story, such as it is, follows the efforts of the teacher to succeed in love and to bring off a revolutionary street "spectacle." While this is happening, the activities of the physically identical revolutionary, including a murder, counterpoint the teacher's life.

Already the picture is heavily dated. Cinematically it's redolent of high '60s Godard; politically it's full of late '60s rhetoric and gesture. But for all its imitations, its slavish obedience to mode that poses as bravery, it shows some talent and authenticity.

In Bertolucci's later work, *The Spider's Strategem*, *The Conformist* and much of *Last Tango*, I felt as if I were walking barefoot over rotten fruit. Here I felt it much less; and felt that, despite the clichés, there was some conviction. Although Bertolucci had enlisted in the Godardian ranks and was snapping to attention and executing orders, he was doing it as a zealous partisan. In later pictures he became an interior decorator in cinematic excelsis.

For me, the best whole Bertolucci is still his first film shown here, *Before the Revolution;* his best sequences are the early sex scenes in *Last Tango;* but *Partner* has some genuinely good things in it. Like the very first shot—Clementi in a café, sitting next to a plate-glass window in which we also see his reflection. Our very first glimpse of the film tells us quietly what it's about.

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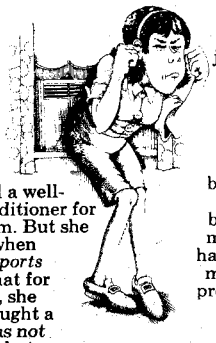
FEB 11 1974

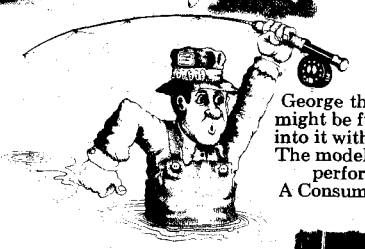
To save time, Al bought an electronic minicalculator for his personal bookkeeping. But he really miscalculated when he overlooked the model with more convenient operation—at $50 *less!*



Betty selected a well-known air conditioner for her living room. But she lost her cool when *Consumer Reports* pointed out that for just $30 more, she could have bought a model that was not only quieter—but used 25% *less* power!

Charlie was just too rushed to check with *Consumer Reports* before he bought his new staple gun. So his $15 bought him a lot more than he bargained for: a model that was hard to load, jammed easily—and presented a safety hazard, too!

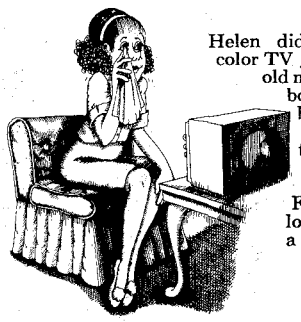
Dora never gave a thought to safety when she bought her $8 steam vaporizer . . . so the truth came as a shock the day she tilted it while it was still plugged in. Too bad she didn't know about a *safer* model—for the same $8!



George thought fly-casting might be fun—and plunged into it with a fancy $45 rod. The model that would have performed just as well? A Consumer Reports "Best Buy" at just $14!

Ed walked away whistling about the deal he got on a new $350 stereo receiver. But he changed his tune when he found *five* models in *Consumer Reports* that could have been "best buys" for him—all costing about $100 *less!*

"Cheap is cheap" muttered Flora, when her bargain $120 innerspring mattress started to sag. She could have enjoyed a more durable model (rated a "Best Buy" in *Consumer Reports*) for the same $120!



Helen didn't need a color TV just to watch old movies, so she bought a 19" black-and-white set for the den. How could she know Errol Flynn would look better on a set that cost $40 *less?*

Ira figured his new $39 extension ladder *had* to be good. But the ladder proved as shaky as his reasoning. Too bad he didn't consult *Consumer Reports*. He could have bought a *steadier* model—at $6 *less!*

Jim finally decided he'd *had* it with garden hoses that kinked or burst, exterior wood stains that chalked and mildewed, can-openers that didn't open cans, 'bargain' vacation tours that were anything but, rancid frozen-fish fillets, and 'convenience' appliances that caused more problems than they solved. He subscribed to *Consumer Reports*.

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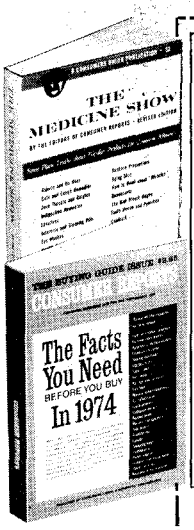

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